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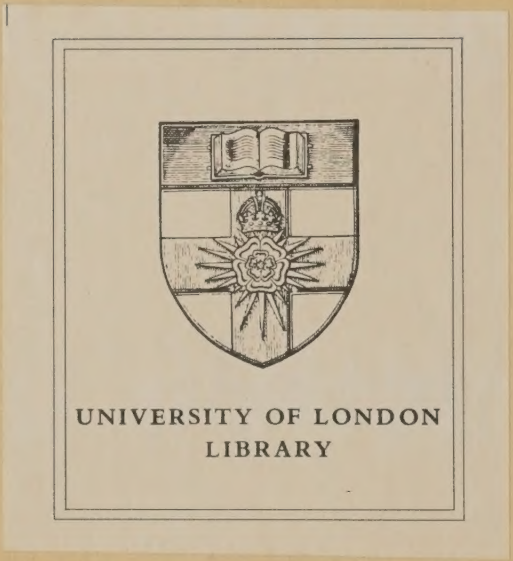

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# B I L L S,

## PUBLIC:

*TEN VOLUMES.*

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*—(10.)—*

STATUTE LAW REVISION [H.L.]

TO

WOMEN'S DISABILITIES REMOVAL.

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Session

25 *November* 1890——5 *August* 1891.

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VOL. X.

# BILLS:

## 1890-91.

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A

# B I L L

INTITULED

An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary. A.D. 1891.

WHEREAS it is expedient that certain enactments which may be regarded as spent, or have ceased to be in force otherwise than by express specific repeal by Parliament, or have, by lapse of time or otherwise, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Enactments in schedule repealed.

1. The enactments described in the schedule to this Act are hereby repealed, subject to the provisions of this Act and subject to the exceptions and qualifications in the schedule mentioned; and every part of a title, preamble, or recital specified after the words "in part, namely," in connexion with an Act mentioned in the said schedule may be omitted from any revised edition of the statutes published by authority after the passing of this Act, and there may be added in the said edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble, or recital, as may in consequence of such omission appear necessary:

Provided as follows:

The repeal of any words or expressions of enactment described in the said schedule shall not affect the binding force, operation, or construction of any statute, or of any part of a statute, whether as respects the past or the future;

and where any enactment not comprised in the said schedule has been repealed, confirmed, revived, or perpetuated by any enactment hereby repealed, such repeal, confirmation, revivor, or perpetuation shall not be affected by the repeal effected by this Act;

A.D. 1891.

and the repeal by this Act of any enactment or schedule shall not affect any enactment in which such enactment or schedule has been applied, incorporated, or referred to;

nor shall such repeal of any enactment affect any right to any hereditary revenues of the Crown, or affect any charges thereupon or prevent any such enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto;

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing status or capacity,—or any right, title, obligation, or liability already acquired, accrued, or incurred, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, obligation, liability, claim, or demand,—or any indemnity,—or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice, or procedure, or the general or public nature of any statute, or any existing usage, franchise, liberty, custom, privilege, restriction, exemption, office, appointment, payment, allowance, emolument, or benefit, or any prospective right, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed;

nor shall this Act revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure, form of punishment, or other matter or thing not now existing or in force;

and this Act shall not extend to repeal any enactment so far as the same may be in force in any part of Her Majesty's dominions out of the United Kingdom, except where otherwise expressed in the said schedule.

Application of repealed enactments in local courts.

**2.** If and so far as any enactment repealed by this Act applies or may have been by Order in Council applied to the court of the county palatine of Lancaster or to any inferior court of civil jurisdiction, such enactment shall be construed as if it were contained in a local and personal Act specially relating to such court and shall have effect accordingly.

Short title.

**3.** This Act may be cited as the Statute Law Revision Act, 1891.

A.D. 1891.

## NOTE.

*The entries in italics in the third column of the schedule, with this Note, are intended to be struck out at a late stage of the Bill.*

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*The schedule is intended to comprise* (*as the preamble to the Bill states*), *enactments which have* ceased to be in force, *otherwise than by express specific repeal, or have, by lapse of time or otherwise, become* unnecessary.

I.—*For the purposes of the schedule six different classes of enactments are considered as having* ceased to be in force, *although not expressly and specifically repealed; namely, such enactments as are*—

1. Expired.—*that is, enactments which, having been originally limited to endure only for a specified period, by a distinct provision, have not been either perpetuated or kept in force by continuance, or which have merely had for their object the continuance of previous temporary enactments for periods now gone by effluxion of time:*
2. Spent.*—*that is, enactments spent or exhausted in operation by the accomplishment of the purposes for which they were passed, either at the moment of their first taking effect, or on the happening of some event, or on the doing of some act authorised or required:*
3. Repealed in general terms.—*that is, repealed by the operation of an enactment expressed only in general terms, as distinguished from an enactment specifying the Acts on which it is to operate:*
4. Virtually repealed.—*where an earlier enactment is inconsistent with, or is rendered nugatory by, a later one:*
5. Superseded.—*where a later enactment affects the same purposes as an earlier one, by repetition of its terms or otherwise:*
6. Obsolete.—*where the state of things contemplated by the enactment has ceased to exist, or the enactment is of such a nature as to be no longer capable of being put in force, regard being had to the alteration of political or social circumstances.*

II.—*For the purposes of the schedule, enactments are considered* unnecessary *where the provisions are of such a nature as not to require, at the present day, statutory authority.*

III.—*Where any enactment is comprised in the schedule on any ground not above explained, the ground of repeal sufficiently appears from the expression used in the third column.*

---

* *As to the use of the term* spent, *see* 1 *Blackst. Comm.* 44. (14*th ed.*), 2*nd Report of the late Statute Law Commissioners, p.* 7, *and Warren v. Windle,* 3 *East,* 205.

S.L. Rev.

# SCHEDULE

This schedule is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Statute Law Committee, and in force at the commencement of this session.

Enactments which are wholly repealed are, in a few instances, included in the schedule, in order to secure the removal of references to obsolete matters.

| Session and Chapter. | Title. | Extent of Repeal. |
|---|---|---|
| 1 & 2 Vict. c. 48 — | An Act to amend the several Acts for the regulation of Attorneys and Solicitors. | Sec. 39 from "That a..." to "...Court of Chancery." |
| 2 Vict. c. 78 — | An Act to amend an Act made in the last Session of Parliament for abolishing [illegible] the appointment of Attorneys and Solicitors. | The whole. |
| 4 Vict. c. 84 — | An Act for granting to Her Majesty a sum of Money to be raised by Lotteries.<br>In sect. twenty,—<br>[illegible]<br>In sect. twenty-eight, [illegible] "twelve calendar months" to "six years." | Sec. 28 from "...Lotteries" to "...Act." |
| 4 Vict. c. 96 — | An Act for the better administration of Justice in the Court of Chancery in Ireland.<br>In sect. seven,—<br>[illegible] the words "out of" [illegible] "or the same" to "a Decree," and the words [illegible] "shall only be [illegible] such." | The whole. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 4 Geo. 4. c. 61.—*cont.* | Sections thirteen to seventeen.<br>Section twenty-four.<br>Sections thirty-three and thirty-four.<br>Section forty-one, "and except any "master in ordinary of the said "court."<br>Sections forty-three to fifty.<br>Section fifty-five.<br>Section fifty-six to "pound and no more and."<br>Section fifty-eight. | *S.* 15. *by General Order December* 26, 1877 (*Court Fees*), *Rule* 8, *and Schedule II., Part* 1 (*Copies*) *and Rules, April* 1878 (*Costs*). *Order* 11, *Rule* 9; *rest of section* 15 *unnecessary.*<br>*S.* 16. *See note to s.* 15 *and General Order* (1867) 184.<br>*S.* 17, *by General Order, December* 26*th* 1877 (*Court Fees*), *Rule* 9.<br>*S.* 24 *repealed by* 30 *&* 31 *Vict. c.* 129. *ss.* 3, 6, *and General Order* (1867), 263 *and following.*<br>*Ss.* 33, 34, *and* 41, *as to part in col.* 2 *repealed by* 30 *&* 31 *Vict. c.* 44. *s.* 27.<br>*Ss.* 43, 44, *and* 46 *repealed by* 30 *&* 31 *Vict. c.* 44. *ss.* 27, 87, *and following sections, and J. A.* 1877, *Order* 36, *Rule* 6.<br>*S.* 45 *repealed by* 30 *&* 31 *Vict. c.* 129. *s.* 24, *and J. A. Order, December* 20, 1879.<br>*Ss.* 47–50 *repealed by* 30 *&* 31 *Vict. c.* 44. *s.* 27.<br>*S.* 55 *superseded by Order of December* 20, 1879.<br>*S.* 56 *as to part in col.* 2 *repealed by* 30 *&* 31 *Vict. c.* 44. *ss.* 179–181.<br>*S.* 58; *first part unnecessary, rest falls with repeal of recited Act by S. L. R.* (*I.*) *Act,* 1879. |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 4 Geo. 4. c 80. - | An Act the title of which begins with the words "An Act to consolidate," and ends with the words "in India." | |
| | In part; namely,— | |
| | Sections twenty-nine and thirty. | *Repealed as to E. by* 47 & 48 *Vict. c.* 43. *Provided for by Petty Sessions (Ireland) Act,* 1851, *ss.* 21, 22, *and as to Dublin by* 5 & 6 *Vict. c.* 24. *ss.* 71, 72, *so far as the Act can apply to Ireland.* |
| 4 Geo. 4. c. 97. - | An Act the title of which begins with the words "An Act for the Regulation" and ends with the words "in Scotland." | |
| | In part; namely,— | |
| | Section five, to "twenty-four," and the words "from thenceforth" and "then after." | *Spent.* |
| 6 Geo. 4. c. 23. - - | An Act for the better Regulation of the Sheriff and Burgh Courts in Scotland. | |
| | In part; namely,— | |
| | Section four, the words "or stewart" and "and stewart." | *Obsolete or unnecessary.* |
| | Section ten, from "for the more" to "Scotland and." | |
| 6 Geo. 4. c. 30. - | An Act to amend an Act of the Fourth Year of His present Majesty's reign, for the better Administration of Justice in the Court of Chancery in Ireland. | *Obsolete since J. A.,* 1877, *and Order, Dec.* 20, 1879: *No examiners or masters in Chancery now exist:* *S.* 16 *provided for by same Order.* |
| 6 Geo. 4. c. 48. - | An Act the title of which begins with the words "An Act to alter" and ends with the word "Scotland." | |
| | In part; namely,— | |
| | Section three, the words "or stewartry." | *Unnecessary.* |
| | Section twenty-one, the words "or stewartry." | |
| 6 Geo. 4. c. 82. - - | An Act to grant an additional annuity to the Lord Chief Justice on Resignation of his office. | |
| | In part; namely,— | |
| | Section ten, from "next in order" to "payments whatsoever." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 Geo. 4. c. 84. | An Act the title of which begins with the words "An Act to provide" and ends with the word "offices." | |
| | In part; namely,— | |
| | Section four, from "next in order" to "payments whatsoever." | *Unnecessary.* |
| 7 Geo. 4. c. 6. | An Act to limit and after a certain Period to prohibit the issuing of Promissory Notes under a limited Sum in England. | |
| | In part; namely,— | |
| | Title from "to limit" to "Period." | *Unnecessary.* |
| 7 Geo. 4. c. 14. | An Act the title of which begins with the words "An Act for the further" and ends with the word "Ireland." | |
| | In part; namely,— | |
| | Section three. | *Obsolete.* |
| 7 & 8 Geo. 4. c. 53. | An Act the title of which begins with the words "An Act to consolidate" and ends with the word "Ireland." | |
| | In part; namely,— | |
| | Section eight, the words "or assistant commissioner or commissioner of appeal under this Act." | *As to commissioners of appeal, virt. rep. 4 & 5 Vict. c. 20. s. 25., as to proceedings before commissioners of excise, virt. rep. by 53 & 54 Vict. c. 21. s. 21 (3), as to s. 64, service of summons, sup. 4 & 5 Will. 4. c. 51. s. 19.* |
| | Section twenty-two, the words "and assistant commissioners" occurring twice. | |
| | Section twenty-nine, the words "or assistant commissioner," "or assistant commissioners," and "or for the commissioners of appeal under this Act." | |
| | Section thirty. | *As to s. 30 superseded by 3 & 4 Will. 4. c. 49.* |
| | Section thirty-one, the words "or affirmation or declaration" "or affirm or declare" wherever they respectively occur. | |
| | Section thirty-three, the words "and assistant commissioners" occurring twice. | |
| | Section sixty-five, from "where the offence" where those words first occur to "said chief office" and the words "and such commissioners of excise" "as hereinafter mentioned" where they first occur and "commissioners and" and the word "respectively" where it first, secondly, thirdly, and fourthly occurs. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Geo. 4. c. 53.—*cont.* | Section sixty-seven, the words "and assistant commissioners." | |
| | Section sixty-eight, the words "for "any assistant commissioner of "excise or" and "any such assistant commissioner or." | |
| | Section sixty-nine, the words "and assistant commissioners." | |
| | Section seventy, the words "and assistant commissioners." | |
| | Section seventy-one, the words "and assistant commissioners" occurring twice. | |
| | Section seventy-three, the words "the commissioners of excise and" "respectively" occurring twice and "as before mentioned." | |
| | Section seventy-four, the words "commissioners of excise and" "and commissioners of appeal under this Act respectively" "respectively" where it next occurs "commissioners or the" and "or the said commissioners of appeal." | |
| | Section seventy-seven, the words "the commissioners of excise or." | |
| | Section seventy-eight, the words "commissioners of excise and" "commissioners or" "commissioners and" and "they" after "as" and the word "respectively" wherever it occurs. | |
| | Section seventy-nine, the words "or "commissioners of appeal in this "Act after mentioned." | |
| | Section eighty-two, the word "either" before "to the" and the words "commissioners of appeal or" and "of such commissioners of appeal or." | |
| | Section eighty-three, the words commissioners of excise or" from "at the office" to "appeal or" and the word "respectively" occurring twice. | |
| | Section eighty-four, the words "the commissioners of appeal or" "commissioners of appeal and" occurring twice and "and commissioners of excise" and the word "respectively" wherever it occurs. | |
| | Section eighty-five, the words "commissioners of excise or" wherever they occur, "commissioners of appeal or" and "respectively" occurring twice. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Geo. 4. c. 53.—*cont.* | Section eighty-six, the words "commissioners of excise or" occurring twice, "commissioners of excise and" and "respectively" wherever it occurs.<br>Section eighty-seven, the words "by the commissioners of appeal or" "commissioners of appeal or" subsequently occurring twice, "commissioners or" occurring twice and "respectively" wherever it occurs.<br>Section ninety, the words "and assistant commissioners."<br>Section one hundred and ten, the words "and assistant commissioners." | |
| 9 Geo. 4 c. 24. - | An Act to repeal certain Acts and to consolidate and amend the Laws relating to Bills of Exchange and Promissory Notes in Ireland.<br>In part; namely,— | |
| | Section three. | *S. 3 falls with s. 2, which is already repealed.* |
| | Section five. | |
| | Section six. | |
| | Section seventeen. | *S. 5 superseded by sec. 69 of B. of Exchange Act, 1882.*<br>*Ss. 6, 17 unnecessary: s. 6 appears to be declaratory of the common law, see Chalmers on B. of E. Act, note to sec. 51.* |
| 9 Geo. 4. c. 35. - | An Act to protect Purchasers for valuable consideration in Ireland against Judgments not revived or redocketed within a limited time. | *Unnecessary, since 13 & 14 Vict. c. 29. judgments no longer affect lands in Ireland unless registered as mortgages under that Act.* |
| 9 Geo. 4. c. 39. - | An Act for the Preservation of the Salmon Fisheries in Scotland.<br>In part; namely,— | |
| | Section three, from "after" to "Act." | *Spent.* |
| 9 Geo. 4. c. 47. - | An Act the title of which begins with the words "An Act for regulating" and ends with the words "United Kingdom."<br>In part; namely,— | |
| | Section one, the words "and assistant commissioners" occurring twice, and "or assistant commissioners." | *Obsolete.* |
| | Section two, the words "and assistant commissioners. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 Geo. 4. c. 54. - | An Act for improving the Administration of Justice in Criminal Cases in Ireland. | |
| | In part; namely,— | |
| | Section twelve, to "abolished: but." | *Spent or obsolete.* |
| | Section fifteen, from "and if a male" to the end of the section. | |
| | Section twenty-one, from "and if a male" where those words twice occur, to "imprisonment" where that word next respectively occurs. | |
| 9 Geo. 4. c. 58. - - | An Act the title of which begins with the words "An Act to regulate" and ends with the word "Certificate." | |
| | In part; namely,— | |
| | Section thirty, the words "after the commencement of this Act." | *Unnecessary.* |
| 10 Geo. 4. c. 7. - | An Act the title of which begins with the words "An Act for the Relief" and ends with the word "Subjects." | |
| | In part; namely,— | |
| | Section eleven, the words "not hereinbefore mentioned." | *Sect.* 12 *as to Lord Chancellor of Ireland virt. rep.* 30 *&* 31 *Vict. c.* 75. |
| | Section twelve, the words "or Ireland" and from "or lord deputy" to "governors." | *Rest spent or unnecessary.* |
| | Section thirteen. | |
| | Section fourteen, the word "and" before "upon" and the words "also" and "other." | |
| | Section fifteen, the words "United" and "and Ireland." | |
| | Section sixteen, the words "United," "and Ireland" where they first occur and "and Ireland respectively." | |
| | Section eighteen, the words "or the lord lieutenant of Ireland," "United" where it last occurs, and "and Ireland." | |
| 10 Geo. 4. c. 24. - | An Act the title of which begins with the words "An Act to enable" and ends with the words "of Years." | |
| | In part; namely,— | |
| | Section twelve, the words "after the passing of this Act." | *Unnecessary.* |
| | Section seventeen, the words "the governor and company of." | |
| 10 Geo. 4. c. 50. - | The Crown Lands Act, 1829. | |
| | In part; namely,— | |
| | Section fifty-eight, from "from and after" to "this Act." | *Spent.* |
| | Section fifty-nine, the words "after the passing of this Act," occurring twice. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 Geo. 4. & 1 Will. 4. c. 26. | An Act the title of which begins with the words "An Act to authorise" and ends with the word "Annuities."<br>In part; namely,— | |
| | Section six, the words "the governor and company of." | *Unnecessary.* |
| | Section nine, the words "except as herein-after excepted." | |
| 11 Geo. 4. & 1 Will 4. c. 37. | An Act the title of which begins with the words "An Act to amend" and ends with the word "Punishment."<br>In part; namely,— | |
| | Section five, the words "it is provided that." | *Unnecessary.* |
| | Section seven, the words "it is hereby provided that." | |
| 11 Geo. 4. & 1 Will. 4. c. 39. | An Act the title of which begins with the words "An Act to amend" and ends with the word "colonies."<br>In part; namely,— | |
| | Section seven, from "or at any great" to "Chester." | *Obsolete.* |
| 11 Geo. 4. & 1 Will. 4. c. 65. | An Act the title of which begins with the words "An Act for consolidating" and ends with the word "Mind."<br>In part; namely,— | |
| | Section forty-four, the words "the governor and company of." | *Unnecessary.* |
| 11 Geo. 4. & 1 Will. 4. c. 69. | An Act the title of which begins with the words "An Act for uniting" and ends with the word "Scotland."<br>In part; namely,— | |
| | The words "it is provided that," "it is provided further that," and "it is hereby provided that," in sections thirteen, twenty-four, and thirty-seven. | *Unnecessary.* |
| 11 Geo. 4. & 1 Will. 4. c. 70. | An Act for the more effectual Administration of Justice in England and Wales.<br>In part; namely,— | |
| | Section seven. | *Sup. C.O. Rules*, 155, 165. |
| 1 Will. 4. c. 7. | An Act the title of which begins with the words "An Act for the more" and ends with the word "Westminster." | *Obsolete.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 1 Will. 4. c. 21. - | An Act to improve the Proceedings in Prohibition and Writs of Mandamus. | *Provisions as to Prohibition applied to Ireland by* 9 *&* 10 *Vict. c.* 113. *This Act repealed as to England by* 46 *&* 47 *Vict. c.* 45, *s.* 83, *superseded by C. O. R.* (*I.*), 1891, *Rule* 124. |
| 1 & 2 Will. 4. c. 31. - | An Act to improve the Administration of Justice in Ireland.<br>In part; namely,—<br>Section one, from "provided that if" to end of section.<br>Sections four, eight, fifteen, and twenty-two. | *S.* 1 *as to pts. in col.* 2, *and ss.* 8, 22 *obsolete or unnecessary.*<br>*S.* 4 *virt. rep. C. O. R.* 1891, *Rules* 155, 156.<br>*S.* 15 *sup. J. A.* 1877, *Rules of* 1891, *O.* 36 (vi.). |
| 1 & 2 Will. 4. c. 32. - | An Act to amend the Laws in England relative to Game.<br>In part; namely,—<br>The following enactments except as to Ireland.<br>Section thirty-eight, from "and for any term" to end of the section.<br>Sections thirty-nine and forty.<br>Section forty-one, from "and that where" to the end of the section.<br>Section forty-three.<br>Section forty-four, from "to be holden" to end of the section.<br>Section forty-five, from "and that no" to the end of the section. | [*Extended to S. and I. by* 23 *&* 24 *Vict. c.* 90. *s.* 13.]<br>*Already repealed as to England. Ss.* 39, 43 *virt. rep. or sup. as to S. by Sum. Jur.* (*Scotland*) *Acts*, 1864 *and* 1881. |
| 1 & 2 Will. 4. c. 37. - | An Act to prohibit the payment, in certain trades, of wages in goods, or otherwise than in the current coin of the realm.<br>In part; namely,—<br>The words "in any of the trades herein-after enumerated," "in any of the said trades," "in any such trade," and "in such trade" wherever they occur in sections one to seven and nine.<br>Section five, the words "such" and "as aforesaid" where they respectively first occur.<br>Section seven, the words "such" and "as aforesaid" where they respectively first occur. | *Ss.* 17 *and* 9 *in part already repealed as to England. Superseded by Sum. Jur.* (*Scotland*) *Acts*, 1864 *and* 1881.<br>*Rest superseded by* 50 *&* 51 *Vict. c.* 46. *s.* 2. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 1 & 2 Will. 4. c. 37.—*cont.* | Section eight, the words "such" and "as aforesaid" where they respectively first occur. | |
| | Section nine, the words "nor less than five pounds," except as to Ireland. | |
| | Section seventeen, from "and no warrant" to the end of the section, except as to Ireland. | |
| | Section twenty-three, from "workman or" to "this Act." | |
| 2 & 3 Will. 4. c. 4. - | An Act for more effectually preventing Embezzlements by Persons employed in the Public Service of His Majesty. | *Unnecessary. Already repealed as to England and Ireland.* |
| 2 & 3 Will. 4. c. 5. - | An Act to provide for carrying on the Business of the Court of Session in Scotland when interrupted by the Death or necessary absence of any of the Judges thereof. | |
| | In part; namely,— | |
| | Section one, from "of either division" to "on the bills," the words "and that either" and "or bill chamber," and from "or by appointing," to the end of the section. | *Virt. rep.* 1 & 2 *Vict. c.* 118. *ss.* 1 *and* 4. |
| | Section two, the words "of the same or of the other division." | |
| 2 & 3 Will. 4. c. 48. - | An Act to regulate the Office of Clerk of the Crown in the Court of King's Bench in Ireland. | |
| | In part; namely,— | |
| | Section three, the words "or other "chief governor or governors of "Ireland." | *S. 3 as to part in col.* 2 *and ss.* 14, 15 *virt. rep. Jud. Act*, 1877, *s.* 73. |
| | Section five, from "save and" to "shall be employed." | *S.* 7–13 *rep.* 37 & 38 *Vict. c.* 35. |
| | Sections seven to fifteen. | |
| 2 & 3 Will. 4. c. 65. | An Act to amend the Representation of the People in Scotland. | |
| | In part; namely,— | |
| | Sections fourteen to twenty-three. | *Ss.* 14–22 *rep.* 19 & 20 *Vict. c.* 58. *s.* 1, 24 & 25 *Vict. c.* 83. *s.* 3. |
| | Section twenty-nine. | |
| | Section thirty, to "Provided always that." | *S.* 23 *rep. in general terms* 31 & 32 *Vict. c.* 48. *s.* 22. |
| | Section thirty-four. | |
| | Section forty-one. | *S.* 29 *and s.* 30 *in part virt. rep.* 35 & 36 *Vict. c.* 33. *First Sch. s.* 1. |

A.D 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 2 & 3 Will. 4. c. 65.—*cont.* | | *S.* 34 *virt. rep.* 35 *&* 36. *Vict. c.* 33. *First Sch. ss.* 44 *and* 45. |
| | | *S.* 41 *rep. in gen. terms* 40 *&* 41 *Vict. c.* 50. *s.* 12. |
| 2 & 3 Will. 4. c. 68. - | An Act for the more effectual Prevention of Trespass upon Property by Persons in Pursuit of Game in that part of Great Britain called Scotland. | |
| | In part; namely,— | |
| | Section eight, from "for any term" to "months." | *Sup. by Sum. Jur. (Scotland) Acts,* 1864 *and* 1881. |
| | Sections nine and ten. | |
| | Section eleven, from "and . . . where" to the end of the section. | |
| | Sections thirteen to fifteen. | |
| 2 & 3 Will. 4. c. 75. - | An Act for regulating Schools of Anatomy. | |
| | In part; namely,— | |
| | Section sixteen. | *Sup. as to S. by* 31 *&* 32 *Vict. c.* 24. *s.* 6. *Already rep. except as to S.* |
| 2 & 3 Will. 4. c. 78. - | An Act the title of which begins with the words "An Act to continue" and ends with the words "said Island." | |
| | In part; namely,— | |
| | Title, from "and to provide" to the end of the title. | *Part of title refers only to repealed section.* |
| | Preamble, and to "same that." | *Rest unnecessary.* |
| 2 & 3 Will. 4. c. 86. - | An Act to amend an Act of the Forty-fifth Year of His Majesty King George the Third, relating to Post Roads in Ireland. | *Falls with repeal of* 1 *&* 2 *Will.* 3. *c.* 33. *s.* 101. |
| 2 & 3 Will. 4. c. 87. - | An Act to regulate the Office for registering Deeds, Conveyances, and Wills in Ireland. | |
| | In part; namely,— | |
| | Section two, from "as named and" to "annexed," and the words "hereafter upon the happening of any vacancy." | *S.* 2 *as to part in col.* 2 *and Schedule* (*A.*) *spent. Offices now regulated by Treasury under s.* 35. |
| | Section nine, to "as may be; and." | |
| | Section thirty-five, from "and also provided" to the end of the section. | *Rest spent.* |
| | Schedule A. | |
| 2 & 3 Will. 4. c. 88. - | An Act to amend the Representation of the People in Ireland. | |
| | In part; namely,— | |
| | Section one, from "or for the unexpired" where those words secondly occur to "charges"; the words "no person being such lessee or assignee of such term of twenty | *Ss.* 1, 5, 9, 11 *as to parts in col.* 2, *and ss.* 6, 13, 14, 27, 64 *and Sched.* (*A.*) *virt. rep. by* 13 *&* 14 *Vict. c.* 69. *ss.* 1, 3, 12, 14, 46. |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 2 & 3 Will. 4. c. 88.—*cont* | years and," "or twenty," and "unless he shall be in the actual occupation of the premises and." | *S.* 2 *unnecessary; no copyholders in Ireland.* |
| | Section two. | *Ss.* 55, 57, 58, 62 *obsolete or unnecessary.* |
| | Section five, from "who shall be seised" to "same; or"; from "or who shall hold and occupy" to "ten pounds"; the words "according to the provisions of this Act," and from "Provided always" to the end of the section. | *S.* 68 *rep. by* 47 & 48 *Vict. c.* 35. |
| | Section six. | |
| | Section nine, from "all freemen" to "borough and," from "after such" to "Act but," from "since the" to "hereafter," and the words "or register as freemen under this Act." | |
| | Sections thirteen to twenty-seven. | |
| | Sections fifty-five to fifty-eight. | |
| | Sections sixty-two to sixty-eight. | |
| | Schedule A. | |
| 2 & 3 Will. 4. c. 105. - | An Act the title of which begins with the words "An Act for the better" and ends with the words "the Crown." | |
| | In part; namely,— | |
| | Section one, from "and such payments" to "the said fund." | *Obsolete.* |
| 2 & 3 Will. 4. c. 111. - | An Act . . . to make Provision for the Lord High Chancellor on his Retirement from Office. | |
| | In part; namely,— | |
| | Section three, from "after paying or" to "out of the same." | *Obsolete.* |
| 2 & 3 Will. 4. c. 120. - | An Act to repeal the Duties under the Management of the Commissioners of Stamps on Stage Carriages and on Horses let for Hire in Great Britain, and to grant other Duties in lieu thereof, and also to consolidate and amend the laws relating thereto. | |
| | In part; namely,— | |
| | Section one hundred and three, from "and it shall be lawful" to "paid and satisfied," from "for the county" to "hearing of such appeal," and the word "also." | *Sup. as to S. by S.J. Acts,* 1864 *and* 1881. *Already rep. as to E.* |
| | Section one hundred and five, from "provided that" to the end of the section. | |
| | Sections one hundred and eight, one hundred and ten, one hundred and eleven, and one hundred and thirteen. | |
| | Schedule B. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 2 & 3 Will. 4. c. 123. - | An Act for Abolishing the Punishment of Death in certain cases of Forgery. | *Sup. as to S.* 50 *&* 51 *Vict. c.* 35. *ss.* 56 *and* 15. *Already rep. as to E. and I.* |
| 3 & 4 Will. 4. c. 41. - | An Act for the better Administration of Justice in His Majesty's Privy Council. In part; namely,— | |
| | Section twenty-nine. | *Spent.* [*This sect. is omitted in Rev. St., but not rep.*] |
| 3 & 4 Will. 4. c. 48. - | An Act the title of which begins with the words "An Act to amend" and ends with the word "Metropolis." In part; namely,— | |
| | Section seven, from "and to place" to "of stamps." | *Part of title of* 1 *&* 2 *Will.* 4. *c.* 22. *is rep.* |
| 3 & 4 Will. 4. c. 50. - | An Act to repeal the several Laws relating to the Customs. In part; namely,— | |
| | Section three, from "and for repealing" to "America as relates thereto," and from "and to amend an Act of the present session" to "registered in India." | *Parts of titles of* 18 *Geo.* 3. *c.* 12. *and* 4 *Geo.* 4. *c.* 80. *are rep.* |
| 3 & 4 Will. 4. c. 68. - | An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in Ireland. In part; namely,— | |
| | Section two, from "to each of the churchwardens" to "situate and," from "and the names" where those words first occur to "or union," from "and the names" where those words next occur, to "licence." | *Ss.* 2, 6, 9, 10–12 *as to parts in col.* 2 *virt. rep.* 18 *&* 19 *Vict. c.* 103, *s.* 4, *and* 37 *&* 38 *Vict. c.* 69. *s.* 10. |
| | Section six, from "and upon the" to "bond hereinafter mentioned." | *Ss.* 22–38 *superseded by* 26 *&* 27 *Vict. c.* 96. *s.* 1. |
| | Section nine, from "without" to the end of the section. | |
| | Section ten, from "together" to "for such licensed person." | |
| | Section eleven, the words "and of each of his sureties." | |
| | Section twelve, from "together" to "person under this Act." | |
| | Sections twenty-two to thirty-eight. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 3 & 4 Will. 4. c. 76. | An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in Scotland. | |
| | In part; namely,— | |
| | Sections one to three. | *S.* 1 *sup.* 31 *&* 32 *Vict. c.* 108. *s.* 3. |
| | Section four, from "and the respective" to the end of the section. | *Ss.* 2, 3, *and* 6 *and Sched. A. and B. and ss.* 4, 5, *and* 30 *in part sup. by* 33 *&* 34 *Vict. c.* 92. *s.* 6. |
| | Section five, from "and within five" to "herein-before directed." | |
| | Section six. | |
| | Section eight, the word "open," and from "and it shall not be" to the end of the section. | *Ss.* 8 *and* 11 *in part and Sched. D. and E. virt. rep. by* 31 *&* 32 *Vict. c.* 108. *s.* 8. |
| | Section nine. | |
| | Section ten, from "the poll books for" to "be transmitted to," the words "who" "after the receipt of the same" and "shall openly break the seals and." | *Ss.* 8, 10, 11, *and* 15 *in part rep. in gen. terms by* 35 *&* 36 *Vict. c.* 33. *s.* 32. |
| | Section eleven, from "shall declare their" to "clerk, together with," and from "no other inquiry" to "number of votes and." | *S.* 9 *in part virt. rep. by* 35 *&* 36 *Vict. c.* 33. *ss.* 8 *and* 20. |
| | Section fourteen, the words "previous to such induction" and from "and each such" to "declined to accept." | *S.* 9 *in part virt. rep. by* 48 *&* 49 *Vict. c.* 10. |
| | Section fifteen, from "videlicet, the" to "assemble and." | *S.* 14 *in part rep. in general terms by* 23 *&* 24 *Vict. c.* 47. |
| | Section thirty. | *S.* 30 *in part sup.* 35 *&* 36 *Vict. c.* 33. *s.* 16 (5). |
| | Schedules A., B., D., and E. | *Rest sup.* 33 *&* 34 *Vict. c.* 92. *s.* 9. |
| 3 & 4 Will. 4. c. 77. | An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs. | |
| | In part; namely,— | |
| | Section two. | *S.* 2. *sup.* 31 *&* 32 *Vict. c.* 108. *s.* 5. |
| | Sections four to nine. | |
| | Section eleven, from "videlicet, the burghs" to "assemble and," and from "in manner herein-before" to "under this Act," and the words "subsequent to the first election." | *Ss.* 4–7 *and* 9, *and s.* 11 *in pt. virt. rep. by* 35 *&* 36 *Vict. c.* 33. *s.* 22. |
| | Section twenty-nine. | *S.* 11 *in part unnecessary.* |
| | Schedules A. and B. | *S.* 29 *in part virt. rep. by* 35 *&* 36 *Vict. c.* 33. s. 16 (5), *rem. by* 33 *&* 34 *Vict. c.* 92. *s.* 9. |
| | | *Schedules virt. rep. by* 31 *&* 32 *Vict. c.* 108. *s.* 8. |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 3 & 4 Will. 4. c. 92. - | An Act to explain and amend the provisions of certain Acts for the erecting and establishing Public Infirmaries, Hospitals, and Dispensaries in Ireland. | |
| | In part; namely,— | |
| Sections six and seven. | | *Superseded by* 40 & 41 *Vict. c.* 49, *ss.* 27, 28. |
| 4 & 5 Will. 4. c. 61. - | An Act for the more effectually providing for the erection of certain Bridges in Ireland. | |
| | In part; namely,— | |
| Section nine, from "and upon such presentment" to end of section. | | *Repealed by* 2 & 3 *Vict. c.* 50. *s.* 7. *See substituted provisions in s.* 8. |
| 4 & 5 Will. 4. c. 70. - | An Act to regulate the Salaries of the Officers of the House of Commons. | |
| | In part; namely,— | |
| Section three, to "always, that," and the word "said." | | *Unnecessary.* |
| 4 & 5 Will. 4. c. 76. - | The Poor Law Amendment Act, 1834. | |
| | In part; namely,— | |
| Section fifty-one, from "to alter and" to "at a time." | | *Pt. of title of* 55 *Geo.* 3. *c.* 137. *is repealed.* |
| 4 & 5 Will. 4. c. 78. - | An Act for the amendment of the Proceedings and Practice of the High Court of Chancery in Ireland. | |
| | In part; namely,— | |
| The whole Act, except section eight. | | *Virt. rep. by Chancery Act of* 1867 *and J. A.*, 1877. |
| 4 & 5 Will. 4. c. 92. - | An Act for the abolition of Fines and Recoveries, and for the substitution of more simple modes of Assurance, in Ireland. | |
| | In part; namely,— | |
| Section sixty-seven. | | *S.* 67 *unnecessary; sec.* 75 *of English Act repealed.* |
| Section seventy, the words "or a master in Chancery." | | |
| Section seventy-one, the words "master in Chancery." | | *Office of Master in Chancery is abolished.* |
| Section seventy-four, the words "or a master in Chancery." | | *S.* 75 *as to memorandum virt. rep. by Rules of Feb.* 14*th*, 1883, *made under Conveyancing Act*, 1882, *sec.* 7. |
| Section seventy-five, the words "master in Chancery" and from "which memorandum" to end of section. | | |
| Section eighty, from "the Lord Chief Justice" to "pleasure and," the word "also," and from "and certificates" to "the certificates." | | *S.* 80 *as to part in col.* 2 *falls with rep. of ss.* 76–79. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 5 & 6 Will. 4. c. 16. - | An Act for altering and amending the law regarding commitments by courts of equity for contempts, and the taking Bills *pro confesso* in Ireland. | |
| | In part; namely,— | |
| | Sections one to eleven. | *S.* 1 *superseded by rules of March 22nd,* 1878, *made under Prisons (Ireland) Act,* 1877, *and see s.* 15 *of that Act.* |
| | Section twelve, sub-sections one to eleven, in sub-section thirteen the words "or upon any report to be made in pursuance of this Act," in sub-section fourteen the words "or upon any such report as aforesaid," in sub-section fifteen the words "upon any such report as aforesaid or," and "upon any such report as aforesaid," and sub-section seventeen. | *Marshalsea Prison abolished by* 37 & 38 *Vict. c.* 21. |
| | Section thirteen. | *Ss.* 2–11 *virt. rep. by Chancery (Ireland) Act,* 1867. |
| | Section fourteen, from "except as to the costs" to "money or costs." | *Ss.* 12, 15 *as to parts in col.* 2 *unnecessary.* |
| | Section fifteen from "but the reports" to end of section. | *Ss.* 13, 14 *corresponds to ss.* 16, 17 *of English Act, which are repealed to same extent.* |
| | Section nineteen. | *S.* 19 *unnecessary.* |
| 5 & 6 Will. 4. c. 27. - | An Act to continue and amend certain Regulations for the Linen and Hempen Manufactures in Ireland. | |
| | In part; namely,— | |
| | Section thirty-one. | *Unnecessary. See* 3 & 4 *Will.* 4. *c.* 49. |
| 5 & 6 Will. 4. c 33. - | An Act the title of which begins with the words "An Act for preventing" and ends with the words "other Indictments. . ." | *Superseded C. O. Rules* 1886, *Rule* 30. |
| 5 & 6 Will. 4. c. 55. - | An Act the title of which begins with the words "An Act for facilitating" and ends with the words "Great Britain." | |
| | In part; namely,— | |
| | Sections thirty-two to thirty-eight. | *Fall with repeal of preceding sections as to appointment of receivers, as to whom see now General Orders of July* 1878 *made under J A.* 1877. |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 5 & 6 Will. 4. c. 70. - | An Act for abolishing in Scotland, Imprisonment for Civil Debts of Small Amount. | *Sup.* 43 & 44 *Vict.* c. 34. *s.* 4. |
| 6 & 7 Will. 4. c. 11. - | An Act for the Registration of Aliens . . . . .<br>In part; namely,— | |
| | Section ten, from "prosecuted within" to "offences shall be," and from "for any time" to "twenty pounds." | *Sup. as to S. by S. J. Acts* 1864 *and* 1881. *Already repealed as to E.* |
| | Repealed except as to Ireland. | |
| 6 & 7 Will. 4. c. 37. - | An Act the title of which begins with the words "An Act to repeal" and ends with the words "Bread beyond the limits aforesaid."<br>In part; namely,— | |
| | Section eight, the words "nor less "than five pounds" and "for "any time not exceeding six "calendar months." | *Sup. as to S. by S. J. Acts* 1864 *and* 1881. *Already repealed as to E.* |
| | Section nine, from "nor less than" to the end of the section. | |
| | Section twelve, the words "nor less than forty shillings" and "for any time not exceeding six calendar months." | |
| | Section thirteen, from "nor less than ten" to the end of the section. | |
| | Section seventeen, from "(which warrant" to "recognizance or otherwise," and from "and the other moiety" to the end of the section. | |
| | Sections eighteen to twenty-three. | |
| | Section twenty-four, from "and where any" to the end of the section. | |
| | Section twenty-five, from "the person or" to the end of the section. | |
| | Section twenty-six. | |
| | Section twenty-seven, from "shall be recoverable" to "the whole penalties" and from "and it is hereby" to end of section. | |
| | Section twenty-eight. | |
| 6 & 7 Will. 4. c. 38. - | An Act the title of which begins with the words "An Act to amend an Act" and ends with the words "in Ireland."<br>In part; namely,— | |
| | Sections thirteen and fourteen. | *Obsolete since Irish Church Act*, 1869. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Will. 4. c. 41. - | An Act to abolish the Commissary Court of Edinburgh, and to regulate the Mode of taking Proofs in Consistorial Causes in Scotland. | *Superseded by* 39 *&* 40 *Vict. c.* 70. *s.* 35. |
| 6 & 7 Will. 4. c. 56. - | An Act for regulating the Process of Cessio Bonorum in the Court of Session, and for extending the Jurisdiction of Sheriffs in Scotland to such cases. | |
| | In part; namely,— | |
| | Section two. | *S.* 2 *sup.* 43 *&* 44 *Vict. c.* 34. *s.* 7. |
| | Section three, from "setting forth that" to "diligence, and" and from "and with such" to end of section. | *S.* 3 *in pt. sup.* 39 *&* 40 *Vict. c.* 70. *s.* 26. |
| | Section fifteen. | *S.* 15 *sup.* 43 *&* 44 *Vict. c.* 34. *s.* 4. |
| | Section sixteen, from "by the inner" to "on the bills or." | *Ss.* 16, 17, 18, *in pt. and* 19, *sup.* 39 *&* 40 *Vict. c.* 70. *s.* 26. |
| | Section seventeen, the words "either by the Court of Session or the sheriff." | *S.* 20 *sup. by* 43 *&* 44 *Vict. c.* 34. *s.* 11. |
| | Section eighteen, from "in cases before" to "before the Court of Session." | |
| | Sections nineteen and twenty. | |
| 6 & 7 Will. 4. c. 69. - | An Act to fix the Standard Qualities of Gold and Silver Plate in Scotland, and to provide for the assaying and marking thereof. | |
| | In part; namely,— | |
| | Section twenty-two, from "Provided always" to end of section. | *Virt. rep. by* 38 *&* 39 *Vict. c.* 62. *s.* 3. |
| 6 & 7 Will. 4. c. 71. - | An Act for the Commutation of Tithes in England and Wales. | |
| | In part; namely,— | |
| | Section seventy. | *Virt. rep. Tithe Act*, 1891, *s.* 6. |
| 6 & 7 Will. 4. c. 74. - | An Act to abolish certain offices connected with the Court of Chancery in Ireland, and to provide for the performance of the duties thereof. | |
| | In part; namely,— | |
| | Section two, to "hanaper" where that word first occurs; from "and so from" to "therein"; from "receive and be" to "shall." | *S.* 2 *as to part in col.* 2 *spent: superseded by J. A., G., O. April* 30, 1880, *and November* 22, 1884. |
| | Sections three and four. | |
| | Section six, to "of the Court"; from "the several" to "videlicet, two"; from "Lord Chancellor's" to "other the"; from "to them" to "be made"; from "Lord Chancellor" to "assistance of the"; and from "in manner" to end of section. | *S.* 3 *rep. by J. A., s.* 73. *S.* 4 *virt. rep.* 30 *&* 31 *Vict. c.* 129. *s.* 3. *S.* 6 *as to part in col.* 2 *virt. rep.* 30 *&* 31 *Vict. c.* 129. *s.* 3, *and J. A., s.* 82, *Order of April* 3, 1880. |
| | Sections seven and eight. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Will 4. c. 74.—*cont.* | Section eleven, the word "six" where it first occurs; from "and such" to "Lord Chancellor"; and from "and upon a vacancy" to end of section.<br>Section thirteen.<br>Section fourteen, to "mentioned and"; and from "on the happening" to "registrars."<br>Section seventeen.<br>Section thirty-three.<br>Schedules. | *Ss.* 11, 13, 14, *as to parts in col.* 2, *s.* 17, *and Schedules spent and superseded by J.A.*, 1877, *s.* 72. *and Order, December* 20, 1879.<br>*S.* 33 *superseded by* 30 *&* 31 *Vict. c.* 44. *ss.* 75, 81, *and J.A., s.* 74. |
| 6 & 7 Will. 4. c. 89. - | An Act to provide for the Attendance and Remuneration of Medical Witnesses at Coroners Inquests.<br>In part; namely,— | |
| | Section seven. | *Unnecessary since repeal under* 50 *&* 51 *Vict. c.* 71. *s.* 45. |
| 6 & 7 Will. 4. c. 97. - | An Act for continuing and making perpetual the duty on certain offices and pensions.<br>In part; namely,— | |
| | Section two. | *Duties are repealed except those on salaries &c. charged on the public revenue, which are deducted and not assessed.* |
| 6 & 7 Will. 4. c. 116. - | An Act to consolidate and amend the laws relating to the Presentment of Public Moneys by Grand Juries in Ireland.<br>In part; namely,— | |
| | Section twenty-three, from "always that if no" to "provided further."<br>Section ninety.<br>Section one hundred and one from "save and except" to the end of the section.<br>Section one hundred and sixteen.<br>Section one hundred and twenty-nine.<br>Section one hundred and thirty, the words "together with such certificates to be obtained from the said surveyor," the words "and certificates," where they first and secondly occur, and the words | *S.* 23 *as to part in col.* 2 *virt. rep. by* 20 *&* 21 *Vict. c.* 15.<br>*S.* 90 *falls with repeal of* 58 *Geo.* 3. *c.* 47. *ss.* 10–15 *by* 29 *&* 30 *Vict. c.* 90. *s.* 69.<br>*S.* 101 *as to part in col.* 2 *virt. rep.* 9 *&* 10 *Vict. c.* 97. *s.* 2, *and* 17 *&* 18 *Vict. c.* 94. *s.* 1.<br>*Ss.* 116, 173 *superseded by* 41 *&* 42 *Vict. c.* 49. *ss.* 51, 80. |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Will. 4. c. 116. —*cont.* | " or certificate" and " and certificate." | *S.* 129 *superseded by* 9 *&* 10 *Vict. c.* 2. *s.* 20. |
| | Sections one hundred and fifty-six to one hundred and sixty-one. | *S.* 130 *as to parts in col.* 2 *virt. rep. by* 7 *Will.* 4. *and* 1 *Vict. c.* 2. *s.* 2. |
| | Sections one hundred and sixty-three and one hundred and sixty-four. | *Ss.* 156–161, 163, 164, *so far as unrepealed by* 13 *&* 14 *Vict. c.* 102. *s.* 60. *and S. L. R. A.*, 1874, *superseded by* 14 *&* 15 *Vict. c.* 92. |
| | Section one hundred and sixty-eight, the words " the chairman of Kilmainham or," " the city of," " respectively," and " chairman" where that word last occurs. | *S.* 168 *as to parts in col.* 2 *virt. rep.* 40 *&* 41 *Vict. c.* 56. *s.* 86. |
| | Section one hundred and sixty-nine from " and all such " to " justice shall direct." | *S.* 169 *as to part in col.* 2 *virt. rep.* 14 *&* 15 *Vict. c.* 90. *s.* 13. |
| | Section one hundred and seventy-one from " shall and may plead " to " evidence, and." | *S.* 171 *as to part in col.* 2 *virt. rep.* 16 *&* 17 *Vict. c.* 113. *s.* 69. |
| | Section one hundred and seventy-three. | |
| 7 Will. 4. & 1 Vict. c. 32. | An Act to repeal the several Laws relating to the Post Office. | |
| | In part; namely,— | |
| | Schedule (B.) so far as it relates to the following Acts :—7 Geo. 3. c. 50.; 48 Geo. 3. c. 140.; 52 Geo. 3. c. 146.; 53 Geo. 3. c. 89.; 1 & 2 Will. 4. c. 33.; 2 Will. 4. c. 4.; 2 & 3 Will. 4. c. 86.; and 6 & 7 Will. 4. c. 116. | *The Acts in Sched.(B.) referred to in col.* 2 *are either rep. or proposed for repeal.* |
| 7 Will. 4. & 1 Vict. c. 33. | An Act for the Management of the Post Office. | |
| | In part; namely,— | |
| | Sections three to six. | *Ss.* 3–6 *and* 8 *obsolete.* |
| | Section eight. | *S.* 11 *as to part in col.* 2 *spent.* |
| | Section eleven to " in force, and." | |
| | Section fifteen. | *S.* 15 *sup.* 17 *&* 18 *Vict. c.* 94. |
| | Section twenty, the words " or any three of them." | |

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| Reign and Chapter | Title. | Remarks. |
|---|---|---|
| 7 Will. 4. & 1 Vict. c. 36. | An Act for consolidating the Laws relative to offences against the Post Office of the United Kingdom, and for regulating the Judicial Administration of the Post Office Laws, and for explaining certain Terms and Expressions employed in these Laws. | |
| | In part; namely,— | |
| | Section four, to "from his office, and." | *S.* 4 *as to part in col.* 2 *obsolete, franking being abolished.* |
| | Section eleven, except as to Ireland. | *S.* 9 *as to pt. in col.* 2 *and s.* 10 *obsolete.* |
| | Section eighteen, except as to Ireland. | *Tolls abolished* 41 & 42 *Vict. c.* 51. *s.* 33. |
| | Sections thirty-three to thirty-five. | *S.* 11 *unnecessary; see* 50 & 51 *Vict. c.* 35. *ss.* 7 *and* 71. |
| | Section forty-five and Schedule. | *S.* 45 *and Sched. sup.* 47 & 48 *Vict. c.* 76. *s.* 12. |
| | | *Ss.* 11 *and* 45 *and Sched. already rep. as to E.* |
| | | *Ss.* 33, 34 *sup. by Forgery Act*, 1851. |
| | | *S.* 35 *sup.* 24 & 25 *Vict. c.* 94. |
| 7 Will. 4. & 1 Vict. c. 41. | An Act for the more effectual recovery of Small Debts in the Sheriff Courts, and for regulating the establishment of Circuit Courts for the trial of Small Debt Causes by the Sheriffs, in Scotland. | |
| | In part; namely,— | |
| | The words "or prosecution" in sections two, thirty-one, thirty-two, and thirty-five. | *S.* 35 *sup.* 16 & 17 *Vict. c.* 80. *s.* 48. |
| | Section two, the words "all prosecutions for statutory penalties as well as" and the words "or prosecutor." | *Rest virt. rep. by S. J. Acts*, 1864 *and* 1881. |
| | Section three, the words "and prosecutions" and "or prosecutors." | |
| | Section twelve, from "and shall be recovered" to "under this Act." | |
| | Section fourteen, the words "and in prosecutions for statutory penalties." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 Will. 4. & 1 Vict. c. 41.—*cont.* | Section thirty-five, from "as being a" to the end of the section.<br>Schedule, Forms eight and nine. | |
| 7 Will. 4. & 1 Vict. c. 69. | An Act to amend an Act for the Commutation of Tithes in England and Wales.<br>In part; namely,— | |
| | Section eight. | *Virt. rep. Tithe Act*, 1891, *s.* 6. |
| 7 Will. 4. & 1 Vict. c. 84. | An Act to abolish the Punishment of Death in Cases of Forgery.<br>In part; namely,— | |
| | Section one, so far as relates to the punishment of offences formerly punishable under 2 & 3 Will. 4. c. 123. | *Unnecessary.*<br>*Already repealed as to E. and I.* |
| | Section two. | |
| 1 & 2 Vict. c. 27. - | An Act to make more effectual provision for the Prevention of Offences by Insane Persons in Ireland.<br>In part; namely,— | |
| | Section one. | *Virt. rep.* 30 & 31 *Vict. c.* 118. *s.* 9. |
| | Section two, from "any person," where those words first occur, to "as aforesaid or." | |
| 3 & 4 Vict. c. 62. - | An Act the title of which begins with the words "An Act . . . to extend" and ends with the words "relating thereto."<br>Repealed as to all Her Majesty's dominions. | *Virt. rep.* 9 & 10 *Vict. c.* 103., 15 & 16 *Vict. c.* 72. *s.* 1. |
| 3 & 4 Vict. c. 96. - | The Post Office (Duties) Act, 1840.<br>In part; namely,— | |
| | Sections twenty-four to twenty-seven. | *Ss.* 24, 25, 27 *sup.* 33 & 34 *Vict. c.* 98. |
| | Sections forty-four and forty-five. | *Ss.* 26, 59 *sup.* 38 & 39 *Vict. c.* 22. |
| | Section fifty-six. | *S.* 44, 45 *sup.* 33 & 34 *Vict. c.* 79. *s.* 15, *and* 38 & 39 *Vict. c.* 22. *s.* 4. |
| | Section fifty-nine. | *S.* 56 *spent.* |
| | Section sixty-four. | *S.* 64 *obsolete.* |
| 3 & 4 Vict. c. 108. - | An Act for the Regulation of Municipal Corporations in Ireland.<br>In part; namely,— | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 3 & 4 Vict. c. 108.—*cont.* | Section eighty-one, from "or by the aldermen" to "particular ward."<br>Section eighty-two from "or by the alderman" to "council." | *Rep. in general terms* 42 & 43 *Vict. c.* 53. *s.* 3. |
| 5 & 6 Vict. c. 61. - | An Act to provide for the better Government of South Australia.<br>In part; namely,—<br>Sections five, six, and eleven.<br>Repealed as to all Her Majesty's Dominions. | *Virt. rep.* 13 & 14 *Vict. c.* 59., *see ss.* 7, 8, 12, 17, *and South Australia Act*, 1855–6, *No.* 2. |
| 5 & 6 Vict. c. 106. - | An Act to regulate the Irish Fisheries.<br>In part; namely,—<br>Section one hundred and six. | *Superseded by* 13 & 14 *Vict. c.* 88. *s.* 47. |
| 6 & 7 Vict. c. 7. - | An Act to amend the Law affecting transported Convicts with respect to Pardons and Tickets of Leave.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted that" in sections two and five.<br>Section three, to "enacted that" and the word "such" before "ticket" where it first occurs.<br>Section four, the words "and be it declared and enacted." | *Unnecessary.* |
| 6 & 7 Vict. c. 8. - | An Act the title of which begins with the words "An Act to empower" and ends with the word "chargeable."<br>In part; namely,—<br>To "same that." | *Unnecessary.* |
| 6 & 7 Vict. c. 12. - | An Act for the more convenient holding of Coroners Inquests.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>Section two, to "enacted that."<br>Section three, to "enacted that." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 18. | An Act the title of which begins with the words "An Act to amend" and ends with the words "and Wales."<br>In part; namely,— | |
| | Preamble. | *Sch. A. rep. by Registration Act*, 1885, 48 *Vict. c.* 15. *ss.* 17, 18. |
| | The words "And be it enacted that" wherever they occur (except in section fifty-six) and the word "that" wherever it occurs with reference to the introductory words so repealed. | *As to instructions, precepts, notices, and forms, see Registration Order*, 1889, *and Local Gov. Act*, 1888, *s.* 76 (9). |
| | Section three, to "enacted that," from "according to the respective" to "annexed," the words "on or before the tenth day of June," and from "according to the form" to "Schedule (A)," and the words "and of the said Table." | *Sects.* 3, 10, *as to dates there mentioned rep. Regist. Act*, 1885, *ss.* 3 (2), 7. (1). |
| | Section four, from "according" where it first occurs to "Schedule (A)" and from "according" where it secondly occurs to the end of the section. | *Sects.* 21, 28, 77, 81 *as to Berwick virt. rep.* 48 *&* 49 *Vict. c.* 23. *s.* 2. |
| | Section five, from "according" to "Schedule (A)." | *Sects.* 28, 30 *as to Rev. Barristers virt. rep. by* 49 *&* 50 *Vict. c.* 42. *s.* 2 (4), *and Order in Council, August* 3, 1886, *under Rev. Barristers Act*, 1873, *Loc. Gov. Act*, 1888, *s.* 76 (4). |
| | Section seven, the words "according to "the form numbered (4) in the said "Schedule (A) or to the like effect" and the words "according to the "form numbered (5) in the said "Schedule (A) or to the like effect." | |
| | Section eight, from "according" to "Schedule (A)." | |
| | Section ten, to "enacted that," from "according" where it first occurs to "annexed," the words "on or before the tenth day of June," and from "according" where it secondly occurs to "Schedule (B)," and the words "and of the said Table." | *Sect.* 42 *as to statement virt. rep. by County Electors Act*, 1888, *s.* 6 (2). |
| | Section eleven, from "according" to "Schedule (B)." | *Sect.* 56 *as to Westminster virt. rep.* 48 *&* 49 *Vict. c.* 23. *s.* 12 (5). |
| | Section thirteen, from "according" where it first occurs to "annexed," and from "according" where it secondly occurs to "Schedule (B)." | *Sect.* 70 *as to part in col.* 2 *virt. rep. by* 41 *&* 42 *Vict. c.* 26 *s.* 28. |
| | Section fifteen, the words "according to "the form numbered (6) in the said "Schedule (B) or to the like effect;" and the words "(8) and." | *Sect.* 73 *virt. rep. by rep. of part of* 2 *&* 3 *Will.* 4. *c.* 45, *by Rep. of People Act* 1884, *s.* 12. |
| | Section seventeen, from "according" where it first occurs to "like effect," and from "according" where it secondly occurs to "Schedule (B)" so far as relates to lists of voters made by overseers. | *Rest unnecessary.* |
| | Section eighteen, the words "according "to the form numbered (12) in the "said Schedule (B)." | |
| | Section twenty-one. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 18. —*cont.* | Section twenty-eight, the words "the city of Westminster" where they first occur, the words "and the town of Berwick-upon-Tweed," and from "and the said lord chief justice" to "South Wales circuit, six." | |
| | Section thirty. | |
| | Section forty-two, from "read the said" to "then and there." | |
| | Section fifty-six, the words "and be it enacted," the words "or Westminster," and from "and in regard to the city" to "said city." | |
| | Section seventy, to "seems meet." | |
| | Section seventy-three, except in so far as relates to the rights of persons saved by the Representation of the People Act, 1884. | |
| | Section seventy-four, to "declared and enacted that" and the word "that" wherever it occurs. | |
| | Section seventy-seven. | |
| | Section eighty-one, the words "or the town of Berwick-upon-Tweed." | |
| | Section eighty-five, to "enacted that." | |
| | Section ninety-three, to "enacted that." | |
| | Section one hundred and one, from "and the words barrister" to "serjeants-at-law." | |
| | Schedule B, Forms ten and eleven, so far as relates to overseers, and Forms one to four, six, eight, and twelve. | |
| 6 & 7 Vict. c. 20. | An Act for abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and for regulating the Crown Office. | *Ss.* 6, 11, *which alone remain sup. by Jud. Acts, subject to savings in Bill.* |
| 6 & 7 Vict. c. 23. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of such Tenure." | |
| | In part; namely,— | |
| | Preamble and section one, to "of the "same that" and the word "that" before "in addition." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in sections six and eight to ten. | |
| | The words "and be it enacted" in sections six and eight to ten. | |
| | Section thirteen, to "enacted that," and the words "as aforesaid." | |
| | Section fifteen, the word "that" before "the words." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 26. | An Act for regulating the Prison at Millbank. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 3. *as to part of Title of* 5 & 6 *Will.* 4. *c.* 38. *specified in col.* 2, *rep. by St. Law Rev. Act*, 1888. *As to* 5 & 6 *Vict. c.* 98. *that Act, exc. ss.* 3, 5, 6, 10, 12, 19, 32, *and* 33, *is rep.* |
| | Section two, to "enacted that" and the words "her heirs and successors." | |
| | Section three, to "this Act" and the words "and for appointing inspectors of prisons in Great Britain," and from "and of an Act," where those words last occur, to the end of the section. | |
| | The words "And be it enacted that" wherever they occur. | |
| | Section five, from "and the several persons" to "officers of the said Penitentiary House," and the words "commissioners of Her Majesty's" and "or at the said Penitentiary House." | *Sect.* 12, *as to part specified in col.* 2, *virt. rep. by* 40 & 41 *Vict. c.* 21. *ss.* 4, 57. *Rest spent or unnecessary.* |
| | Section twelve, from "and all reasonable" to the end of the section. | |
| | Section twenty-five, to "enacted that." | |
| 6 & 7 Vict. c. 30. | An Act to amend the Law relating to Pound-breach and Rescue in certain Cases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section two, the words "and be it enacted." | |
| | The words "And be it enacted that" in sections three and four. | |
| 6 & 7 Vict. c. 32. | An Act to amend the Laws in force relating to Grand Jury Presentments in Counties of Cities and Towns in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "from and after the passing of this Act." | |
| | The words "And be it enacted that" wherever they occur, except in section ten. | |
| | Section ten, the words "and be it enacted." | |
| | Section nineteen, to "enacted that" and the words "commissioners of Her Majesty's." | |
| 6 & 7 Vict. c. 36. | An Act to exempt from County, Borough, Parochial, and other local Rates, Land and Buildings occupied by Scientific or Literary Societies. | |
| | In part; namely,— | |
| | Preamble. | *Spent or unnecessary.* |
| | Section one, to "forty-three." | |
| | The words "and be it enacted" wherever they occur | |
| | Section three, to "enacted that." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 37. | An Act to make better Provision for the Spiritual Care of populous Parishes. | |
| | In part; namely,— | |
| | Preamble. | *As to s. 25 see savings.* |
| | Section one, to "same that," the word "said" where it first and secondly occurs, and the words "for England" and "Most Reverend William Howley Lord." | *Rest unnecessary.* |
| | The words "And be it enacted that" wherever they occur (except in sections five, eight, fourteen, and eighteen), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections five, eight, fourteen, and eighteen. | |
| | Section nine, the words "for England." | |
| | Section thirteen, to "enacted that." | |
| | Section twenty, to "enacted" and the word "that." | |
| | Section twenty-one, the words "and her successors." | |
| | Section twenty-two, to "enacted that" and the words "for England" and "and their successors" occurring twice. | |
| | Section twenty-four, to "enacted that." | |
| | Section twenty-five. | |
| 6 & 7 Vict. c. 38. | An Act to make further Regulations for facilitating the hearing Appeals and other Matters by the Judicial Committee of the Privy Council. | |
| | In part; namely,— | |
| | Preamble. | *Sect. 1 virt. rep. by 14 & 15 Vict. c. 83. s. 16.* |
| | Section one. | |
| | The words "And be it enacted that" wherever they occur. | *Rest unnecessary.* |
| | Section twelve, to "enacted that." | |
| | Section seventeen, the word "that" wherever it occurs. | |
| 6 & 7 Vict. c. 40. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of the Workmen engaged therein." | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section twenty-four. | |
| | Section one, to "this Act." | |
| | Section twenty-one, to "enacted that." | |
| | The words "and be it enacted" in section twenty-four. | |
| | Section thirty-five, the word "that" wherever it occurs. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 42. | An Act to amend an Act of the Nineteenth and Twentieth Years of King George the Third, for empowering Grand Juries in Ireland to present Bridges, and Tolls to be paid for passing the same, in certain Cases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section two, to "enacted that." | |
| 6 & 7 Vict. c. 44. | An Act to amend the Acts for carrying on Public Works in Ireland. | *Approved by Commissioners of Public Works (I.).* |
| 6 & 7 Vict. c. 54. | An Act the title of which begins with the words "An Act for extending," and ends with the words "said Act." | |
| | In part; namely,— | |
| | Preamble. | *Obsolete.* |
| | Sections one and two. | |
| | Section three, to "enacted that" and the words "or by this Act," and the word "that" before "such right." | |
| 6 & 7 Vict. c. 66. | An Act to enlarge the Provisions of an Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "this Act." | |
| 6 & 7 Vict. c. 68. | An Act for regulating Theatres. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur except in sections ten and twenty-two. | |
| | The words "and be it enacted" in sections ten and twenty-two. | |
| | Section twenty-one, the words "her heirs and successors." | |
| 6 & 7 Vict. c. 73. | An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in England and Wales. | |
| | In part; namely,— | |
| | Preamble. | *As to Sch. I. Part II.*, 3 *Hen.* 7. *c.* 1. *is rep. by St. Law Rev. Acts*, 1863, 1872, 52 *Geo.* 3. *c.* 63 *is rep. by* 7 *&* 8 *Geo.* 4. *c.* 27, 18 *Eliz. c.* 14. *is rep. by* 46 *&* 47 *Vict. c.* 49. *s.* 4, 1 & 2 *Vict. c.* 45. *is rep. by S. L. Rev.* (No. 2) *Act*, 1888, *the other Acts mentioned are rep.* |
| | The words "And be it enacted that" wherever they occur (except in sections six and forty-seven), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section one, to "Provided always that." | |
| | Section two, to "this Act," where those words first occur, and from "have been previously" to "passing of this Act" where those words last occur. | |
| | Section three, the words "from and after the passing of this Act." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 73. —*cont.* | Section five, to "enacted that." | *by* 42 *&* 43 *Vict.* c. 59. |
| | The words "and be it enacted" in sections six and forty-seven. | *Rest spen or unnecessary.* |
| | Section twenty-one, to "passing of this Act." | |
| | Section thirty-seven, to "passing of this Act," and from "Court of Common" to "Durham." | |
| | In the second part of the First Schedule the entries as to the following Acts:— | |
| | 20 Hen. III. c. 10. | |
| | 6 Edw. I. c. 8. | |
| | 13 Edw. I. c. 10. | |
| | 7 Rich. II. c. 14. | |
| | 7 Hen. IV. c. 13. | |
| | 3 Hen. VII. c. 1. | |
| | 18 Eliz. c. 14. | |
| | 29 Eliz. c. 5. | |
| | 31 Eliz. c. 10. | |
| | 52 Geo. III. c. 63. | |
| | 1 & 2 Vict. c. 45. | |
| 6 & 7 Vict. c. 77. | An Act for regulating the Cathedral Churches of Wales. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 11 *spent, rest unnecessary.* |
| | Section one, to "Act" and the word "said" before "dioceses." | |
| | Section two, to "enacted" and the word "that." | |
| | Section three, the words "and be it enacted." | |
| | Section four, to "enacted that," and the word "that" where it subsequently occurs. | |
| | Section six, to "enacted that" and the word "that" where it subsequently occurs. | |
| | Section eleven. | |
| | The words "And be it enacted that" in sections seven, eleven, twelve, and fourteen. | |
| | Section thirteen, the words "And be it enacted" and the word "that" before "so soon as" and before "if after." | |
| 6 & 7 Vict. c. 79. | An Act the title of which begins with the words "An Act to carry," and ends with the words "and France." | |
| | In part; namely,— | |
| | The words "And be it enacted that," wherever they occur, and the word "that," wherever it occurs with reference to the introductory words so repealed. | *The Act is rep. by* 31 *&* 32 *Vict.* c. 45. *s.* 71, *but revived in part by* 40 *&* 41 *Vict.* c. 42. *s.* 15, *and see* 46 *&* 47 *Vict.* c. 22. |
| | Section six, to "enacted that." | |
| | Section eight, to "repealed; and that," and the word "that" before "the numbers." | *Sect.* 19 *unnecessary.* |
| | Section seventeen, from "to be next holden" to "court awarded." | |
| | Section nineteen. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 82. | An Act the title of which begins with the words "An Act for extending," and ends with the words "Examination of Witnesses." | |
| | In part; namely,— | |
| | Title from "for extending" to "affidavits; and." | *Title as to part in col. 2 and preamble refers only to repealed sections.* |
| | Preamble. | |
| | Section six, to "enacted that." | |
| | Section seven, the words "and be it enacted." | *Rest unnecessary.* |
| 6 & 7 Vict. c. 85. | An Act for improving the Law of Evidence. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that" and the word "that" before "every." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| 6 & 7 Vict. c. 86. | An Act for regulating Hackney and Stage Carriages in and near London. | |
| | In part; namely,— | |
| | Preamble. | *Part of title of* 1 & 2 *Will.* 4. *c.* 22. *in sect.* 3 *in rep., rest unnecessary.* |
| | The words "And be it enacted that" wherever they occur (except in section twenty-three) and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section three, from "and to place" to "stamps." | |
| | Section twenty-three, the words "and be it enacted." | |
| 6 & 7 Vict. c. 90. | An Act for removing Doubts as to the Service of Clerks or Apprentices to Public Notaries, and for amending the Laws regulating the Admission of Public Notaries. | |
| | In part; namely,— | |
| | Preamble. | *Spent or unnecessary.* |
| | Section one, to "from and after the passing of this Act" and the word "that" before "no person." | |
| | The words "and be it enacted" in sections two, five, and six. | |
| | Section three, to "from and after the passing of this Act." | |
| | The words "And be it enacted that" in sections four, eight, and nine. | |
| | Section seven, to "passing of this Act." | |
| | Section eight, the word "that" before "all oaths." | |
| | Section ten, to "passing of this Act," and the word "that" before "save so far." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 91. | An Act to consolidate and amend the Laws for the Regulation of Charitable Loan Societies in Ireland.<br>In part; namely,— | |
| | Preamble. | *Sects.* 47–52 *and part of sect.* 53 *specified in col.* 2. *virt. rep. by* 11 *&* 12 *Vict. c.* 115. *s.* 1, *and see* 37 *&* 38 *Vict. c.* 86. |
| | The words, "And be it enacted that" wherever they occur and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section four, the words "Commissioners of Her Majesty's" occurring twice, from "of the United" to "of them" where those words next occur, and the words "or any three or more of them" where they last occur. | |
| | Sections forty-seven to fifty-two. | |
| | Section fifty-three, the words "after the passing of this Act" and from "or if the managers" to "Institution," where that word secondly occurs. | |
| | Section sixty-two, from "the words" to "being and." | |
| 6 & 7 Vict. c. 92. | An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland.<br>In part; namely,— | |
| | Preamble and section one, to "same that" and the words "after the passing of this Act" where they secondly occur. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section eight, to "enacted that." | |
| | Section ten, to "enacted" and the word "that" before "it shall be," before "hereafter the clerk" and before "after such clerk." | |
| | Section twenty-one, to "enacted that." | |
| | Section twenty-six, to "enacted that." | |
| 6 & 7 Vict. c. 93. | An Act to amend an Act of the Third and Fourth Years of Her present Majesty for the Regulation of Municipal Corporations in Ireland.<br>In part; namely,— | |
| | Preamble. | *Preamble unnecessary, having regard to repeal of sect.* 1. *by St. Law Rev. Act,* 1874 (*No.* 2). |
| | The words "And be it enacted that" wherever they occur (except in section six) and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section three, the words "her heirs and successors." | *Rest spent or unnecessary.* |
| | Section four, to "enacted that" and the words "after the passing of this Act" wherever they occur. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 93. —*cont.* | Section five, to "passing of this Act."<br>Section six, the words "and be it enacted."<br>Section seven, the words "Commissioners of Her Majesty's" and "or any three of them."<br>Section eight, the words "Commissioners of Her Majesty's" where they first occur, the words "said Commissioners of Her Majesty's" occurring twice, and "or of any three of them."<br>Section nine, to "therefore enacted that."<br>Section thirteen, the words "after the passing of this Act."<br>Section seventeen, to "passing of this Act."<br>Section eighteen, to "enacted that."<br>Section twenty-two, to "enacted that."<br>Section twenty-five, to "passing of this Act."<br>Section twenty-six, to "therefore enacted that," the word "said" before "borough," from "that from and" to "Act" where it next occurs, the word "that" before "the said," and the words "Her heirs and successors."<br>Section twenty-eight, to "Be it enacted that." | |
| 6 & 7 Vict. c. 96. | An Act to amend the Law respecting defamatory Words and Libel.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Unnecessary.* |
| 6 & 7 Vict. c. 98. | An Act for the more effectual Suppression of the Slave Trade.<br>In part; namely,—<br>Preamble and section one, to "same that," and from "from and after" to "Act" where it next occurs.<br>Section two, to "enacted that."<br>Section four, to "enacted that."<br>The words "and be it enacted" in section five.<br>Section six.<br>Repealed as to all Her Majesty's Dominions. | *Sect. 6 spent, and see savings. Rest unnecessary.* |

| Reign and Chapter. | Title. | Remarks |
|---|---|---|
| 7 & 8 Vict. c. 2. | An Act for the more speedy Trial of Offences committed on the High Seas.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur.<br>Section four, the words "and be it declared and enacted." | *Unnecessary.* |
| 7 & 8 Vict. c. 12. | An Act to amend the Law relating to International Copyright.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted that" wherever they occur, except in sections six, seven, and twelve.<br>The words "and be it enacted" in sections six, seven, and twelve.<br>Section thirteen, the word "that" before "the times."<br>Section twenty, from "and the expression Her Majesty" to "Majesty" where it next occurs. | *Unnecessary.* |
| 7 & 8 Vict. c. 19. | An Act for regulating the Bailiffs of Inferior Courts.<br>In part; namely,—<br>The words "And be it enacted that" wherever they occur.<br>Section four. | *S.* 4, *sup.* 7 & 8 *Vict. c.* 96. *s.* 65.<br>*Rest unnecessary.* |
| 7 & 8 Vict. c. 22. | An Act to amend the Laws now in force for preventing Frauds and Abuses in the marking of Gold and Silver Wares in England.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted that" wherever they occur, except in sections four and six.<br>The words "and be it enacted" in sections four and six.<br>Section seven, to "enacted that."<br>Section ten, the words "of debt, bill, plaint."<br>Section fourteen, from "and the term Her Majesty" to "successors."<br>Section fifteen, to "forty-four." | *Preamble unnecessary, having regard to repeal of sect.* 1 *by St. Law Rev. Act*, 1874 (*No.* 2).<br>*Rest unnecessary.* |
| 7 & 8 Vict. c. 24. | An Act for abolishing the Offences of forestalling, regrating, and engrossing, and for repealing certain Statutes passed in restraint of Trade. | *Spent or obsolete.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 25. | An Act to repeal the Duty of Excise on Vinegar, and to make the Duties and Drawbacks now payable on Flint Glass the same as on Bottle Glass. | |
| | In part; namely,— | |
| | Title, from "and to make" to the end of the title. | *Title as to part specified in col. 2 unnecessary, having regard to parts of Act already repealed.* |
| | The words "and be it enacted" in sections three and four. | *Rest unnecessary.* |
| 7 & 8 Vict. c. 29. | An Act to extend an Act of the Ninth Year of King George the Fourth, for the more effectual Prevention of Persons going armed by Night for the Destruction of Game." | |
| | In part; namely,— | |
| | Preamble and section one, to "from and after the passing of this Act." | *Spent.* |
| 7 & 8 Vict. c. 32. | An Act to regulate the Issue of Bank Notes, and for giving to the Governor and Company of the Bank of England certain Privileges for a limited Period. | |
| | In part; namely,— | |
| | Title, the words, "the Governor and Company of." | *Unnecessary.* |
| | Preamble and section one, to "forty-four." | |
| | Section two, to "forty-four." | |
| | Section three, to "enacted that." | |
| | The words "And be it enacted that," wherever they occur, except in sections five and fourteen. | |
| | The words "and be it enacted" in sections five and fourteen. | |
| | Section four, to "and forty-four." | |
| | Section seven, to "company of," and the word "thenceforth." | |
| | Section ten, to "Act." | |
| | Section eleven, to "Act." | |
| | Section twelve, the words "after the passing of this Act" and "the governor and company of." | |
| | Section thirteen, from "after the tenth" to "forty-four." | |
| | Section eighteen, from "after the tenth" to "forty-four" where it next occurs, and from "after the nineteenth" to "forty-four." | |
| | Section twenty, to "enacted that," and the words "commissioners of Her Majesty's." | |
| | Section twenty-three, to "enacted that," and the words "the governor and company of" where they last occur. | |
| | Section twenty-six, to "this Act." | |
| | Section twenty-seven, the words "the said governor and company of" where they first and secondly occur, and from "to be given" to "fifty-five." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 32. —*cont.* | Section twenty-eight, the word "that" wherever it occurs, and the words "the governor and company of" wherever they occur.<br>Schedule C., the words "the Governor and Company of." | |
| 7 & 8 Vict. c. 33. | An Act for facilitating the Collection of County Rates, and for relieving High Constables from Attendance at Quarter Sessions in certain Cases, and from certain other Duties.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur.<br>Section seven, to "Act."<br>Section eight, to "enacted that." | *Unnecessary.* |
| 7 & 8 Vict. c. 37. | An Act the title of which begins with the words "An Act to secure" and ends with the words "Sites for Schools."<br>In part; namely,—<br>Preamble and section one, to "same that," and the words "and her successors."<br>Section two, to "enacted that," and the words "and her successors" occurring twice.<br>Section three, to "Be it enacted that."<br>Section five, to "enacted that." | *Unnecessary.* |
| 7 & 8 Vict. c. 38. | An Act to amend an Act of the last Session to consolidate and amend the Laws for the Regulation of Charitable Loan Societies in Ireland. | *Virt. rep. by* 11 *&* 12 *Vict. c.* 115. *s.* 1, *and see* 37 *&* 38 *Vict. c.* 86. |
| 7 & 8 Vict. c. 44. | An Act to facilitate the disjoining or dividing of extensive or populous Parishes, and the erecting of new Parishes, in that Part of the United Kingdom called Scotland.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that," wherever they occur.<br>Section two, to "declared that."<br>Section five, from "the patronage" where those words first occur to "shall "not bear the burden of not less than "one half of the stipend to be pro- "vided to the minister of the new "parish."<br>Section fifteen, the words, "her heirs and successors." | *Sect.* 5 *as to part in col.* 2 *virt. rep. by* 37 *&* 38 *Vict. c.* 82.<br>*Rest unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 45. | An Act for the Regulation of Suits relating to Meeting Houses and other Property held for religious Purposes by Persons dissenting from the United Church of England and Ireland. | |
| | In part; namely,— | |
| | Preamble to "in Ireland: And." | *Unnecessary.* |
| | Section two, to "enacted that." | |
| 7 & 8 Vict. c. 47. | An Act to amend and continue for Five Years, and to the End of the next Session of Parliament, certain Acts relating to Linen, Hempen, and other Manufactures in Ireland. | |
| | In part; namely,— | |
| | Title, from "and continue" to "Parliament." | *As to part of title in col. 2 unnecessary, having regard to repeal of s. 1 by St. Law Rev. Act,* 1874 (*No.* 2). |
| | Preamble. | |
| | Section two, to "enacted that" and the word "said" before "first." | |
| | Section three, to "from and after the passing of this Act." | *Rest unnecessary, and see savings.* |
| | Section four. | |
| | Section five, to "enacted that." | |
| 7 & 8 Vict. c. 49. | An Act for the better Regulation of Colonial Posts. | |
| | In part; namely,— | |
| | Preamble. | *Sects.* 3, 4, *sup.* 38 & 39 *Vict. c.* 22. *ss.* 1. 9. |
| | Section two, to "declared that" and the words "for the time being." | |
| | Sections three to five. | *S.* 5 *obsolete.* |
| | The words "And be it enacted that" in sections nine and ten. | *Rest spent or unnecessary.* |
| | Section nine, the words "commissioners of Her Majesty's," "after the passing of this Act," and "under their hands." | |
| | Section ten, the word "that" before "the several." | |
| 7 & 8 Vict. c. 52. | An Act to extend the Powers of the Act for the Appointment and Payment of Parish Constables. | |
| | In part; namely,— | |
| | Preamble. | *Spent or unnecessary.* |
| | Section one, to "after the passing of this Act." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 55. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of such Tenure." | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section five, the word "that" before "it shall be lawful." | |
| | Section eight, the word "that" before "all proceedings." | |
| 7 & 8 Vict. c. 56. | An Act concerning Banns and Marriages in certain District Churches or Chapels. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section two, the word "that" before "all banns." | |
| 7 & 8 Vict. c. 59. | An Act for better regulating the Offices of Lecturers and Parish Clerks. | |
| | In part; namely,— | |
| | Preamble from "And whereas" to end of preamble. | *Unnecessary or spent.* |
| | Section one, to "from and after the passing of this Act" and from "provided that" to the end of the section. | |
| | The words "And be it enacted that" in sections two, five, and six. | |
| | Section two, the words "after the passing of this Act." | |
| | The words "and be it enacted" in sections three and four. | |
| 7 & 8 Vict. c. 61. | An Act to annex detached Parts of Counties to the Counties in which they are situated. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 1 *virt. rep. by Loc. Gov. Act,* 1888, *s.* 59 (2). |
| | Section one. | |
| | The words "And be it enacted that" in sections two and three. | |
| | The words "and be it enacted" in sections four, five, and seven. | *Last unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 68. | An Act the title of which begins with the words "An Act to suspend" and ends with the words "of such Jurisdictions."<br>In part; namely,— | |
| | Title, from "until" to "forty-seven." | *As to part of title in col. 2 unnecessary, having regard to repeal of parts of the Act.* |
| | The words "And be it enacted that" wherever they occur. | *Rest unnecessary.* |
| 7 & 8 Vict. c. 69. | An Act the title of which begins with the words "An Act for amending" and ends with the words "Jurisdiction and Powers."<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section eight. | |
| | Section eight, the words "and be it enacted." | |
| | Section nine, the word "that" before "the said judicial." | |
| 7 & 8 Vict. c. 71. | An Act for the better Administration of Criminal Justice in Middlesex.<br>In part; namely,— | |
| | Preamble. | *Sects.* 1–5, 11, *virt. rep. Loc. Gov. Act*, 1888, *ss.* 42 (11), 116, 117. |
| | The whole Act, except sections eight and nine. | |
| | The words "And be it enacted that" in sections eight and nine. | *Sect.* 13, 14, *virt. rep. Loc. Gov. Act*, *s.* 2 (1) (4). |
| | Section eight, the words "her heirs and successors," and "sergeant or." | *Sect.* 15 *virt. rep. by* 40 & 41 *Vict. c.* 21. *ss.* 5, 48. |
| | | *Sect.* 16 *unnecessary, having regard to* 40 & 41 *Vict. c.* 21. *ss.* 25, 27. |
| 7 & 8 Vict. c. 74. | An Act to explain and amend the Act for the Government of New South Wales and Van Diemen's Land.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section six, to "enacted that."<br>Repealed as to all Her Majesty's dominions. | |
| 7 & 8 Vict. c. 81. | An Act for Marriages in Ireland; and for registering such Marriages.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 81.—*cont.* | The words "And be it enacted that" wherever they occur (except in sections twenty, thirty-eight, seventy-six, and eighty-one), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections twenty, thirty-eight, seventy-six, and eighty-one. | |
| | Section thirty-three, to "enacted that." | |
| | Section forty-one, from "within" where it first occurs to "March and also" and the word "succeeding." | |
| | Section forty-five, from "after the said" to "March" respectively occurring twice. | |
| | Section fifty-three, from "lord high" to "Majesty's" and the words "or any three of them." | |
| | Section fifty-four, from "said lord" to "Majesty's." | |
| | Section sixty-five, from "the first" to "that time." | |
| | Section sixty-six, from "the first" to "that time." | |
| | Section seventy-two, the words "after the said thirty-first day of March." | |
| 7 & 8 Vict. c. 83. | An Act to amend the Laws relating to Savings Banks, and to the Purchase of Government Annuities through the Medium of Savings Banks. | |
| | In part; namely,— | |
| | Title from "and to" to the end of the title. | *Title as to part in col.* 2 *unnecessary, having regard to* 16&17 *Vict. c.* 45. *s.* 1. |
| | Preamble. | |
| | Section one, to "cease and that" and the words "that from and after the said twentieth day of November" where they secondly occur. | *The whole Act is rep. by* 26 *&* 27 *Vict. c.* 87. *s.* 1., *but with a saving in s.* 68. *so far as relates to Post Office Savings Banks and certain powers of the National Debt Commissioners.* |
| | The whole Act except sections one, fourteen, and fifteen. | |
| | The words "And be it enacted that" in sections fourteen and fifteen. | *Sects.* 3, 5, 7, 10, 11, 20 *rep.* 50 *&* 51 *Vict. c.* 40. *s.* 11. |
| | | *Sects.* 4, 12 *obsolete.* |
| | | *Sects.* 9, 19 *do not apply to Post Office Savings Banks.* |
| | | *Sect.* 22 *superseded,* 50 *&* 51 *Vict. c.* 40. *s.* 13. |
| | | *Rest unnecessary.* |
| | | *As to ss.* 14, 15 *see* 39 *&* 40 *Vict. c.* 52. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 84. | An Act for regulating the Construction and the Use of Buildings in the Metropolis and its Neighbourhood. | |
| | In part; namely,— | |
| | The words "and be it enacted" in sections fifty-six, fifty-eight, and sixty-three. | *Sect.* 59 *virt. rep. L.G. Act*, 1888, *s.* 42. *Rest unnecessary.* |
| | Section fifty-four, to "enacted" and the word "that" except where it first and last occurs, the word "newly," and from "and that if any such business be now" to "in such situations." | |
| | Section fifty-five, to "enacted" and the word "that" except where it first and last occurs. | |
| | Section fifty-seven, to "enacted" and the word "that" wherever it occurs. | |
| | Section fifty-nine. | |
| | Section sixty, the words "and be it declared." | |
| | Section sixty-one, to "enacted" and the word "that" where it first and last occurs. | |
| | Section sixty-two, to "enacted" and the word "that" before "if her Majesty" and before "if such rate." | |
| 7 & 8 Vict. c. 85. | An Act to attach certain Conditions to the Construction of future Railways authorised or to be authorised by any Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur except in sections three, eight, and eighteen. | |
| | The words "and be it enacted" in sections three, eight, and eighteen. | |
| | Section six, to "enacted that." | |
| | Section eleven, to "enacted that." | |
| | Section thirteen, to "enacted that." | |
| | Section nineteen, to "this Act." | |
| | Section twenty-five, the word "that" before "where a." | |
| 7 & 8 Vict. c. 86. | An Act the title of which begins with the words "An Act for the Relief" and ends with the words "in certain Cases." | |
| | In part; namely,— | |
| | Title from "who have" to "their Contracts" and the words "to the Enrolment of such Contracts and." | *As to part of Title specified in col.* 2 *unnecessary, having regard to repeal of the whole Act except sect.* 4. |
| | Section four, to "enacted that." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 87. | An Act to amend the Law for regulating Places kept for slaughtering Horses. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that" and the words "after the passing of this Act." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section nine, the word "that" before "every such witness." | |
| 7 & 8 Vict. c. 89. | An Act for auditing the Accounts of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that" and the word "said" where it first occurs. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section two, the words "commissioners of Her Majesty's." | |
| 7 & 8 Vict. c. 90. | An Act the title of which begins with the words "An Act for the Protection" and ends with the words "Limitation of Actions." | |
| | In part; namely,— | |
| | Preamble. | *As to fees, rep. in general terms by* 13 *&* 14 *Vict. c.* 74. *ss.* 3, 7. |
| | The words "And be it enacted that" wherever they occur (except in sections seven to nine and fifteen) and the word "that" wherever it occurs with reference to the introductory words so repealed. | *As to assistant clerks, rep.* 34 *&* 35 *Vict. c.* 72. *s.* 1. |
| | The words "and be it enacted" in sections seven to nine and fifteen. | *The office of Registrar of Judgments is transferred to the Supreme Court,* 40 *&* 41 *Vict. c.* 57. *See ss.* 72, 73. |
| | Section one, to "same that" and the words "for the charge of three shillings or of one shilling," and the word "that" before "from and" before "all books," before "upon the" before "such books" and before "all judgments." | *Sect.* 3, *part of title of* 3 *&* 4 *Vict. c.* 105. *rep. St. Law Rev.* (*No.* 2) *Act,* 1888. |
| | Section two, from "and such officer" to the end of the section. | *Sect.* 7 *virt. rep. by* 13 *&* 14 *Vict. c.* 29. *ss.* 3, 4. |
| | Section three, from "for abolishing" to "cases, and" from "from and after" to "forty-four" where it first occurs and the words "for the charge of three shillings or of one shilling." | *Ss.* 34, 35, 40 *rep.* 37 *&* 38 *Vict. c.* 96. (*S.L.R.*); *ss.* 36–38 *rep.* 20 *&* 21 *Vict. c.* 60. *s.* 2. *S.* 39 *spent.* |
| | Section four, from "and such officer" to the end of the section. | |
| | Section seven. | |
| | Section ten, to "forty-four" from "and such officer" to "sixpence," and the words "and the fee payable to the officer thereon." | *Rest unnecessary or spent* |
| | Section eleven to "forty-four" the words "her heirs or successors" wherever they occur, from "and such officer" to "sixpence," and from "on payment" to the end of the section. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 90.—*cont.* | Section twelve, the word "that" before "said book" and before "all persons," and from "and no additional" to the end of the section. | |
| | Section thirteen, from "and shall" to the end of the section. | |
| | Section fourteen, to "enacted that," the words "commissioners of Her Majesty's," "her heirs or successors," and "under their hands," and from "of the United" to "three of them." | |
| | Section fifteen, the words "her heirs or successors." | |
| | Section seventeen, to "forty-five." | |
| | Section twenty-one, from "and shall for that" to the end of the section. | |
| | Section twenty-two, to "forty-four; and," and from "and to receive" to "of the said registrar," the words "and clerks," and from "and any expense" to the end of the section. | |
| | Sections twenty-three to twenty-nine. | |
| | Section thirty, the words "or any assistant clerk" "or assistant clerk" and "or clerk." | |
| | Section thirty-two, to "of this Act," the words "and clerks," from "or assistant" to "of them," and the words "or clerk." | |
| | Section thirty-three, the words "after the passing of this Act," "or clerk" where they first and last occur, and "or clerks or any of them." | |
| | Sections thirty-four to forty. | |
| 7 & 8 Vict. c. 91. | An Act to consolidate and amend the Laws relating to Turnpike Trusts in South Wales. | |
| | In part; namely,— | |
| | The whole Act, except sections one hundred and six, one hundred and seven, one hundred and nine, one hundred and ten to one hundred and twelve, and one hundred and fourteen. | *Virt. rep. Loc. Gov. Act*, 1888, *s.* 13. |
| 7 & 8 Vict. c. 92. | An Act to amend the Law respecting the office of County Coroner. | |
| | In part; namely,— | |
| | Preamble. | *Sects.* 4, 5, 19, 20, *as to parts in col.* 2 *and s.* 7 *virt. rep. by Loc. Gov. Act.* 1888, *ss.* 3 (11), 5, *and* 46 (2) (*a*). |
| | The words "And be it enacted that" wherever they occur. | |
| | Section four, from "and to determine" to "herein-after provided." | |
| | Section five, the words "shall be elected to, and" and the word "so." | *Sect.* 6 *spent.* |
| | Section seven. | *Sect.* 27 *as to parts in col.* 2 *virt. rep.* 23 & 24 *Vict. c.* 116, *s.* 7, *and Coroners Act, s.* 38. |
| | Section nineteen, from "and may be" to "at large" where those words next occur, and from "by the freeholders" to the end of the section. | *Rest unnecessary.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 92.—*cont.* | Section twenty, the words "or elected by the electors of" and the words "or elected" twice occurring. | |
| | Section twenty-seven, the words "the county of Chester, or" and "county palatine." | |
| | Section twenty-eight, the word "that" before "in the." | |
| | Section twenty-nine, the words "and be it declared and enacted." | |
| 7 & 8 Vict. c. 94. | An Act to explain and amend an Act for making better Provision for the Spiritual Care of populous Parishes. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it declared and enacted that" wherever they occur. | |
| | Section three, the words "and be it enacted." | |
| | Section six, the words "for England." | |
| | Section eleven, to "enacted that." | |
| 7 & 8 Vict. c. 95. | An Act to amend an Act of the Ninth Year of King George the Fourth, for the Preservation of the Salmon Fisheries in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| 7 & 8 Vict. c. 96. | An Act to amend the Law of Insolvency, Bankruptcy, and Execution. | |
| | In part; namely,— | |
| | Title, the words "Insolvency, Bankruptcy, and." | *As to part of title in col. 2, unnecessary, having regard to repealed portions of the Act.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section sixty-eight, the words "or in the Court of Common Pleas at Lancaster." | *As to portions of ss. 68, 72 in col. 2, virt. rep. by Judicature Act, 1873, s. 16.* |
| | Section seventy-two, the words "or of "the Court of Common Pleas at Lan- "caster." | |
| | | *Rest unnecessary.* |
| 7 & 8 Vict. c. 97. | An Act for the more effectual Application of Charitable Donations and Bequests in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Sects. 8, 19 virt. rep. 30 & 31 Vict. c. 54. ss. 1, 19, 20, 24.* |
| | The words "And be it enacted that" wherever they occur (except in section six), and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest unnecessary or spent.* |
| | Section six, the words "and be it enacted." | |
| | Section seven, from "or other" to "Ireland" and the words "commissioners of Her Majesty's" and "said commissioners of Her Majesty's." | |
| | Section eight. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 97.—*cont.* | Section fourteen the words "commissioners of Her Majesty's" and "the said commissioners of." | |
| | Section nineteen, | |
| | Section twenty, the words "from and after the commencement of this Act." | |
| 7 & 8 Vict. c. 101. | An Act for the further Amendment of the Laws relating to the Poor in England. | |
| | In part; namely,— | |
| | Preamble. | *As to part of sect.* 74 *in col.* 2, *unnecessary, having regard to repeal of parts of title of* 5 *&* 6 *Vict. c.* 57. *by Stat. Law Rev. Act*, 1888. |
| | The words "And be it enacted that" wherever they occur (except in sections thirty-six and sixty-five), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections thirty-six and sixty-five. | *Rest unnecessary.* |
| | Section six, to "enacted that." | |
| | Section seven, to "enacted," and the word "that" before "after the death." | |
| | Section thirteen, to "this Act." | |
| | Section fourteen, to "enacted that." | |
| | Section seventeen, to "enacted that" and the word "said." | |
| | Section twenty-two, to "Act" where it first occurs. | |
| | Section thirty-one, to "enacted that." | |
| | Section forty-one, to "enacted that." | |
| | Section sixty-one, to "Be it enacted that." | |
| | Section sixty-six, to "enacted that." | |
| | Section seventy-four, from "to continue" to "commission; and." | |
| 7 & 8 Vict. c. 106. | An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of Dublin. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 50 *virt. rep. by* 41 *&* 42 *Vict. c.* 49. *ss.* 40, 78, 86. |
| | The words "And be it enacted that" wherever they occur (except in sections eleven, thirty-two, sixty-six, one hundred and twenty-four, one hundred and twenty-seven, and one hundred and forty-four), and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Sect.* 130 *virt. rep. by* 41 *&* 42 *Vict. c.* 49. *ss.* 43, 86, *and Part V.* *Rest spent or unnecessary.* |
| | The words "and be it enacted" in sections eleven, thirty-two, sixty-six, one hundred and twenty-four, one hundred and twenty-seven, and one hundred and forty-four. | |
| | Section five, from "after" to "forty-five." | |
| | Section seven, the words "of Ireland" and from "at the next" to "Act, or" and the word "succeeding." | |
| | Section nine, the words "of Ireland." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 106. —*cont.* | Section twenty-six, the words "of Ireland" "or other chief governor or governors" and "Commissioners of Her Majesty's" and from "of the United" to "Ireland." | |
| | Section twenty-seven, the words "of Ireland." | |
| | Section twenty-nine, the words "of Ireland." | |
| | Section thirty, the words "of Ireland." | |
| | Section thirty-six, the words "said Commissioners of Her Majesty's" and "or any three or more of them." | |
| | Section thirty-seven, the words "of Ireland," "of the Lord Lieutenant for the time being," "Commissioners of Her Majesty's," and "or any three or more of them." | |
| | Section thirty-eight, from "or other" where first occurring to "time being," the words "or they," and the words "or other chief governor or governors," where they last occur. | |
| | Section forty-five, from "from and after" to "forty-five." | |
| | Section fifty. | |
| | Section sixty-two, to "enacted that" the words "for the time being" and and from "or other" to "Ireland." | |
| | Section sixty-five, the words "Commissioners of Her Majesty's" and "or any three or more of them." | |
| | Section sixty-eight, from "at the Michaelmas" to "Act, and" and the word "succeeding." | |
| | Section sixty-nine, to "enacted that" from "at Michaelmas" to "this Act, and" and the word "succeeding." | |
| | Section seventy, from "after the first" to "except the first." | |
| | Section eighty-one, to "enacted that." | |
| | Section eighty-eight, the words "her heirs and successors." | |
| | Section one hundred and ten, the words "at any time after the first day of "January one thousand eight hundred "and forty-five" wherever they occur. | |
| | Section one hundred and eighteen, the words "be it further enacted that" and the word "that" before "the grand jury." | |
| | Section one hundred and twenty the words "from and after the passing of this Act," and from "lord high" to "Majesty's" and the words "or any three of them." | |
| | Section one hundred and twenty-one, the words "or other chief governor or governors of Ireland." | |
| | Section one hundred and twenty-two, to "commencement of this Act." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 106. —*cont.* | Section one hundred and twenty-nine, to "that hereafter." | |
| | Section one hundred and thirty. | |
| | Section one hundred and fifty-four to "enacted that." | |
| | Section one hundred and fifty-six, from "the words lord" to "time being; and." | |
| 7 & 8 Vict. c. 107. | An Act to regulate and reduce the Expences of the Offices attached to the Superior Courts of Law in Ireland payable out of the Consolidated Fund. | |
| | In part, namely,— | |
| | Preamble. | *Sect.* 6 *part of title of* 3 & 4 *Vict. c.* 105. *is rep. by St. Law Rev.* (*No.* 2) *Act*, 1888. *Rest spent or unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section thirty-three, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section three, to "forty-four." | |
| | Section six, the words "after the passing of this Act," and from "for abolishing" to "cases." | |
| | Section seven, from "or other" to "time being." | |
| | Section nine, to "Act." | |
| | Section ten, to "the commencement of this Act," and the word "that" before "when." | |
| | Section fifteen, to "forty-four" and the words "the said governor and company of" occurring twice. | |
| | Section nineteen, the words "the said commissioners of." | |
| | Section twenty-four, to "Act." | |
| | Section twenty-five to "enacted that" and the word "that." | |
| | Section thirty-one the words "after the passing of this Act." | |
| | Section thirty-two to "enacted that" and the word "such" before "retailer." | |
| | Section thirty-three, the words "and be it enacted." | |
| | Section thirty-nine. | |
| 7 & 8 Vict. c. 108. | An Act the title of which begins with the words "An Act to amend" and ends with the words "the Irish Fisheries." | |
| | In part; namely,— | |
| | Preamble and section one to "same that," and from "or other" to the end of the section. | *Unnecessary.* |
| | The words "And be it enacted that" in sections two and six. | |
| | Section three, to "enacted that" and the word "that" wherever it occurs, except before "behalf." | |
| | Section four, to "enacted that" and the word "that" before "such." | |
| | Section five, to "therefore enacted that." | |
| | Section seven, to "enacted that." | |
| | Section eight, to "enacted that." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 10. | An Act to make certain Provisions for Proceedings in Bastardy. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section nine, to "enacted that" and the word "that" before "the sitting." | |
| | Section ten, the word "that" before "where there are." | |
| 8 & 9 Vict. c. 15. | An Act to repeal the Duties of Excise on Sales by Auction, and to impose a new Duty on the Licence to be taken out by all Auctioneers in the United Kingdom. | |
| | In part; namely,— | |
| | Title, from "to repeal" to "Auction, and." | *As to part of title in col. 2 and preamble unnecessary, having regard to repeal of s. 1 by St. Law Rev. Act*, 1875. |
| | Preamble. | |
| | The words "And be it enacted that" wherever they occur. | |
| | Section two, to "this Act," and from "her heirs" to "throughout the United Kingdom." | *Words in sec. 2 unnecessary, having regard to rep. of s. 1. Rest unnecessary.* |
| 8 & 9 Vict. c. 16. | An Act for consolidating in One Act certain Provisions usually inserted in Acts with respect to the Constitution of Companies incorporated for carrying on Undertakings of a public nature. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section four, to "enacted that." | |
| | Section one hundred and sixty-four, the words "and be it enacted." | |
| 8 & 9 Vict. c. 17. | An Act for consolidating in One Act certain Provisions usually inserted in Acts with respect to the Constitution of Companies incorporated for carrying on Undertakings of a public nature in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section four, to "enacted that." | |
| | Section fifteen, to "of Scotland" and the word "said." | |
| | Section one hundred and twenty-one, to "enacted that." | |
| 8 & 9 Vict. c. 18. | An Act for consolidating in One Act certain Provisions usually inserted in Acts, authorising the taking of Lands for Undertakings of a public nature. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section four, to "enacted that." | |
| | Section eighty-eight, the words "the governor and company of." | |
| | Section one hundred and forty-eight, the words "and be it enacted." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 19. | An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section four, to "enacted that." | |
| 8 & 9 Vict. c. 20. | An Act for consolidating in one Act certain Provisions usually inserted in Acts authorizing the making of Railways. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section three, from "the expression the Board" to "plantations." | |
| | Section four, to "enacted that." | |
| | Section seventeen, the words "her heirs and successors." | |
| | The recital preceding section twenty-five, to "same: Therefore" | |
| | Section twenty-nine, to "enacted that." | |
| | Section sixty-six, to "enacted that." | |
| | Section ninety, to "of particular parties" and the word "therefore." | |
| | Section one hundred and fifty-nine, the words "and be it enacted." | |
| 8 & 9 Vict. c. 26. | An Act to prevent fishing for Trout or other Fresh-water Fish by Nets in the Rivers and Waters in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that," and the words "after the passing of this Act." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section ten, the word "that" wherever it occurs. | |
| 8 & 9 Vict. c. 28. | An Act to empower Canal Companies and the Commissioners of Navigable Rivers to vary their Tolls, Rates, and Charges on different Parts of their Navigations. | |
| | In part; namely,— | |
| | Preamble and section one to "Act and." | *Unnecessary.* |
| | The words "and be it enacted" in sections two to five. | |
| | Section six, to "enacted that." | |
| 8 & 9 Vict. c. 30. | An Act to amend an Act passed in the Third and Fourth years of the Reign of His late Majesty King William the Fourth, intituled "An Act for the better Administration of Justice in His Majesty's Privy Council." | *Obsolete. The courts of Suddur Dewanny Adawlut are abolished by* 24 & 25 *Vict. c.* 104. *s.* 8., *and the statutory regulations as to appeals from those courts are not applied to appeals from the High Courts.* |
| | Repealed as to all Her Majesty's dominions. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 32. | An Act to alter and amend the Laws enabling Justices of the Peace in certain Cases to borrow Money on Mortgage of the County Rates, so far as the same relate to the County of Middlesex. | *Virt. rep. by Loc. Gov. Act*, 1888, *ss.* 3 (2), 69. |
| 8 & 9 Vict. c. 33. | An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways in Scotland.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section three, from "The expression the Board" to the end of the section. | |
| | Section four, to "enacted that." | |
| | Section seventeen, the words "her heirs and successors." | |
| | Section fifty-eight, to "enacted that." | |
| | Section eighty-three, to "of particular parties" and the word "therefore." | |
| 8 & 9 Vict. c. 35. | An Act to simplify the Form and diminish the Expence of obtaining Infeftment in Heritable Property in Scotland.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section nine to "always that." | |
| 8 & 9 Vict. c. 37. | An Act to regulate the Issue of Bank Notes in Ireland, and to regulate the Repayment of certain Sums advanced by the Governor and Company of the Bank of Ireland for the Public Service.<br>In part; namely,— | |
| | Title the words "the Governor and Company of." | *S.* 8 *as to part in col.* 2, *spent.* |
| | Preamble and section one, to "same that." | *As to part of sect.* 29, *in col.* 2, *obsolete; and see* 3 & 4 *Vict. c.* 105. *s.* 42. |
| | The words "And be it enacted that" wherever they occur (except in sections nine and twenty-eight), and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest unnecessary or spent.* |
| | Section two, to "this Act." | |
| | Section four, to "fifty-five," from "or other" to "Ireland" where it first occurs, and the words "the said Governor and Company of." | |
| | Section six, the words "the Governor and Company of" except where they first occur. | |
| | Section seven, to "passing of this Act," and the words "the Governor and Company of." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 37.—*cont.* | Section eight, to "if any; and" from "after the sixth" where those words first occur to "forty-five" where it next occurs, and from "from and after" to "forty-five."<br>Section nine, the words "and be it enacted."<br>Section eleven, the words "subsequently to the passing of this Act."<br>Section twelve, the words "the Governor and Company of" where they last occur.<br>Section fourteen, to "forty-five."<br>Section sixteen, from "after the thirteenth" to "forty-five."<br>Section twenty-one, to "enacted that" and the words "Commissioners of Her Majesty's."<br>Section twenty-seven, the words "from and after the passing of this Act."<br>Section twenty-eight, the words "and be it enacted."<br>Section twenty-nine, from "in no such proceeding" to "allowed; and."<br>Section thirty, to "this Act" where those words first occur.<br>Section thirty-two, the words "the Governor and Company of." | |
| 8 & 9 Vict. c. 38. | An Act to regulate the Issue of Bank Notes in Scotland.<br>In part; namely,—<br>Preamble and section one, to "if any; and" from "after the sixth day of December" where those words first occur to "forty-five" where it next occurs, and from "from and after" to "forty-five."<br>The words "And be it enacted that" wherever they occur (except in sections two and twenty), and the word "that" wherever it occurs with reference to the introductory words so repealed.<br>The words "and be it enacted" in sections two and twenty.<br>Section five, from "from and after" to "forty-five."<br>Section six, to "forty-five."<br>Section seven, from "after the sixth" to "forty-five" where first occurring, and from "after the thirteenth" to "forty-five."<br>Section nine, the word "said" before "sixth."<br>Section twelve, to "enacted that" and the words "commissioners of Her Majesty's." | *Unnecessary or spent.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 38. —*cont.* | Section fifteen, to "declared that" and the words "the Governor and Company of" where twice occurring. | |
| | Section sixteen, from "from and after" to "and forty-six" where those words next occur, and from "after the first" to "forty-six." | |
| | Section eighteen, from "from and after" to "forty-six." | |
| | Section nineteen, the words "from and after the passing of this Act." | |
| | Section twenty-two, the words "the Governor and Company of." | |
| 8 & 9 Vict. c. 39. | An Act to amend the Law of Arrestment of Wages in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "Act." | *Unnecessary.* |
| 8 & 9 Vict. c. 41. | An Act for amending the Laws concerning the Highways, Bridges, and Ferries in Scotland, and the making and maintaining thereof by Statute Service, and by the Conversion of Statute Service into Money. | *Rep. generally, as from adoption of* 41 & 41 *Vict. c.* 51, *which is now compulsory by L. Gov. Act*, 1889, *s.* 16. |
| 8 & 9 Vict. c. 42. | An Act to enable Canal Companies to become Carriers of Goods upon their Canals. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "from and after the passing of this Act." | |
| | The words "and be it enacted" in sections two, four, six, and twelve. | |
| | The words "And be it enacted that" in sections three, five, eight to eleven, and thirteen. | |
| | Section seven, to "enacted that." | |
| 8 & 9 Vict. c. 46. | An Act for the Appointment of additional Constables for keeping the Peace near Public Works in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "from and after the passing of this Act," the words "or other chief governor or governors of Ireland," and "or they" wherever they respectively occur, and the words "or are." | |
| | Section two, the words "or other chief governor or governors." | |
| | The words "And be it enacted that" in sections two and three. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 56. | An Act, the title of which begins with the words "An Act to alter" and ends with the words "by way of Mortgage." | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section thirteen. | |
| | Section thirteen, the words "and be it enacted." | |
| | Section fourteen, the word "that" where it secondly occurs. | |
| 8 & 9 Vict. c. 61. | An Act to make certain further Provisions for the Consolidation of Turnpike Trusts in South Wales. | |
| | In part; namely,— | |
| | Preamble. | *Virt. rep. by Loc. Gov. Act,* 1888, *s.* 13. |
| | The whole Act except sections one, two, and twelve. | |
| | Section one, to "of this Act." | |
| | Section two, to "enacted that." | |
| 8 & 9 Vict. c. 63. | An Act to facilitate the Completion of a Geological Survey of Great Britain and Ireland, under the Direction of the First Commissioner for the Time being of Her Majesty's Woods and Works. | |
| | In part; namely,— | |
| | Preamble and section one to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section six, the words "or stewards" and "or stewartries." | |
| 8 & 9 Vict c. 64. | An Act to amend certain Regulations respecting the Retail of Spirits in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Preamble unnecessary, having regard to repeal of portion of s.* 1 *by St. Law Rev. Act,* 1875. |
| | Section one, to "same that" and the words "above recited and." | |
| | Section two, the words "from after the passing of this Act." | *Rest unnecessary.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 66. | An Act to enable Her Majesty to endow new Colleges for the Advancement of Learning in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section ten. | |
| | Section four, the words "Commissioners of her Majesty's," "said Commissioners of her Majesty's," and "her heirs and successors." | |
| | Section five, the words "Commissioners of her Majesty's." | |
| | Section six, the words "Commissioners of her Majesty's" wherever they occur, and the word "said" before the words so repealed. | |
| | Section seven, the words "Commissioners of her Majesty's," "said Commissioners of the," and "said Commissioners of her Majesty's" wherever they respectively occur. | |
| | Section nine, the words "Commissioners of her Majesty's." | |
| | Section ten, the words "her heirs and successors" wherever they occur, from "in her Majesty" where those words secondly occur, to "and afterwards," and the word "otherwise." | |
| | Section eleven, the words "her heirs and successors." | |
| | Section twelve, the words "said Commissioner's of her Majesty's" and "under the hands of any three or more of them," and the words her "heirs and successors" occurring twice, and from "after providing" to "future charges," from "on the fifth" where those words first occur, to "every year," and from "the first" to the end of the section. | |
| | Section ten, the words "and be it enacted." | |
| | Section thirteen, to "enacted that," and the words "her heirs and successors." | |
| | Section fourteen, to "enacted that" and the words "her heirs and successors." | |
| | Section fifteen, to "enacted that." | |
| | The words "her heirs and successors" wherever they occur in sections seventeen to nineteen. | |
| | Section eighteen, to "enacted that." | |
| 8 & 9 Vict. c. 68. | An Act to stay Execution of Judgment for Misdemeanors upon giving Bail in Error. | *So far as not rep. by St. Law Rev. Act*, 1875, *superseded by Crown Office Rules* 1886 (*E.*) and 1891 (*I.*). |
| | | *As to ss.* 1, 2, 4, *see English Rules* 199, 200, 203, *Irish Rules* 182, 183, 186. |
| | | *S.* 6 *unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 69. | An Act to amend an Act of the Sixth Year of Her present Majesty, for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section nine, to "of this Act." | |
| 8 & 9 Vict. c. 70. | An Act for the further Amendment of the Church Building Acts. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary* |
| | The words "And be it enacted that" wherever they occur, except in section eight. | |
| | Section six, to "enacted" and the word "that" before "in all cases." | |
| | Section seven, to "enacted" and the word "that" before "in all cases." | |
| | Section eight, the words "and be it enacted." | |
| | Section nine, to "enacted that." | |
| | Section fourteen, to "therefore enacted that." | |
| | Section seventeen, to "enacted" and the word "that" before "the church." | |
| 8 & 9 Vict. c. 71. | An Act to extend certain Provisions in the Act for consolidating and amending the Laws relating to Highways in England. | |
| | In part; namely,— | |
| | Preamble and section one, to "of this Act." | *Spent or unnecessary.* |
| | Section two, to "enacted that." | |
| 8 & 9 Vict. c. 74. | An Act the title of which begins with the words "An Act to amend" and ends with the words "Provisions of the said Act." | |
| | In part; namely,— | |
| | Title from "and to discontinue" to the end of the title. | *As to part of Title in col. 2 unnecessary having regard to portion of Act already repealed.* |
| | Preamble. | |
| | Section three, to "this Act," and the words "her heirs and successors." | |
| | Section four, the words "and be it enacted" and the words "from and after the passing of this Act" and from "Provided always," where those words last occur, to the end of the section. | *As to last proviso in Sect. 4 obsolete, see 3 & 4 Vict. c. 105. s. 42.*<br>*Rest unnecessary or spent.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 75. | An Act to amend an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled "An "Act to amend the Law respecting "defamatory Words and Libel." | |
| | In part; namely,— | |
| | Preamble. | *Preamble part of title of 3 & 4 Vict. c. 105. rep.* |
| | Section one, to "same that" and the words "as provided by such Act." | |
| | Section two, to "enacted that," and the words "as provided by said Act." | *Sect. 2 as to words secondly mentioned rep. as to E. 46 & 47 Vict. c. 49. s. 4.* |
| | | *Rest unnecessary.* |
| 8 & 9 Vict. c. 76. | An Act the title of which begins with the words "An Act to increase," and ends with the words "Bank Notes in England." | |
| | In part; namely,— | |
| | Title from "to reduce" to "in Ireland." | *As to part of title in col. 2 unnecessary, having regard to portion of Act already repealed.* |
| | Preamble and section one, to "same that" and the words "her heirs and successors." | |
| | Section four, to "this Act." | |
| | Section five, to "this Act," and the words "of debt, bill, plaint," and from "in no such" to "allowed; and." | *As to Preamble 8 & 9 Vict. c. 2. and part of Title of 5 & 6 Vict. c. 82. are rep.* |
| | | *Rest unnecessary.* |
| 8 & 9 Vict. c. 77. | An Act to make further Regulations respecting the Tickets of Work to be delivered to Persons employed in the Manufacture of Hosiery, in certain Cases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section three. | |
| | Section three, the words "and be it enacted." | |
| | Section eight, the word "that" before "when any." | |
| 8 & 9 Vict. c. 80. | An Act for regulating the Criminal Jurisdiction of Assistant Barristers as to certain Counties of Cities and Counties of Towns in Ireland. | |
| | In part; namely,— | |
| | Preamble and to "passing of this Act" and the subsequent words "that from and after the passing of this Act," and the word "that" before "the said" and before "a general." | *Spent.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 81. | An Act to amend an Act of the last Session, for consolidating and amending the Laws for the Regulation of Grand Jury Presentments in the County of Dublin. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary or spent.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section two, to "passing of this Act" from "lord high" to "Majesty's," and the words "or any three of them" and "his or their," and from "or other" to "time being." | |
| | Section three, the words "and it is hereby declared and enacted" from "lord high" to "Majesty's" and the words "or any three of them." | |
| | Section four, the words "commissioners of her Majesty's," "or other chief governor or governors," and "of Ireland" wherever those words respectively occur. | |
| | Section five, the words "commissioners of her Majesty's." | |
| | Section eleven, to "passing of this Act." | |
| 8 & 9 Vict. c. 83. | An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that," and the words "and stewart substitute." | *Unnecessary or spent.* |
| | The words "And be it enacted that" wherever they occur, except in section seventy-five. | |
| | Section two, the words "her heirs and successors" occurring twice. | |
| | Section four, the words "her heirs and successors" from "lord high" to "Majesty's," and from "of the United" to "more of them." | |
| | Section five, from "shall meet" to "members and," the words "thereafter," "at such first meeting and," and "other." | |
| | Section eleven, from "lord high" to "Majesty's," and the words "he or." | |
| | Section fourteen, from "lord high" to "Majesty's" and the words "or any three or more of them." | |
| | Section thirty-two, from "on the third" to "year or" and the word "thereafter." | |
| | Section fifty, to "declared that." | |
| | Section sixty, to "enacted that." | |
| | Section sixty-three, to "passing of this Act." | |
| | Section sixty-eight, to "passing of this Act." | |
| | Section seventy-five, the words "and be it enacted." | |
| | Section seventy-six, to "passing of this Act." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 90. | An Act for granting Duties of Customs.<br>In part; namely,—<br>Sections nine to twelve.<br>Repealed as to all Her Majesty's dominions. | *Rep. St. Law Rev. Act*, 1875, *but ss.* 9, 10, 11, 12 *revived by* 39 *&* 40 *Vict. c.* 36. *s.* 287, *which was rep. by St. Law. Rev. Act*, 1883. *with a saving as to revivor.* |
| 8 & 9 Vict. c. 96. | An Act to restrict the Powers of selling or leasing Railways contained in certain Acts of Parliament relating to such Railways.<br>In part namely,—<br>To "same that." | *Unnecessary.* |
| 8 & 9 Vict. c. 99. | An Act the title of which begins with the words "An Act to amend," and ends with the words "the said Land Revenue."<br>In part; namely,—<br>Preamble and section one, to "this Act," and the words "her heirs and successors."<br>The words "And be it enacted that" wherever they occur.<br>Section four, to "of this Act."<br>Section eight, to "enacted that."<br>Section nine, to "therefore enacted that," from "lord high" to "Majesty's," and the words "for the time being" where they last occur, and the words "her heirs and successors." | *Unnecessary.* |
| 8 & 9 Vict. c. 106. | An Act to amend the Law of Real Property.<br>In part; namely,—<br>The word "that" wherever it occurs, except in section three after "always."<br>Section two, the word "said." | *Unnecessary.* |
| 8 & 9 Vict. c. 107. | An Act the title of which begins with the words "An Act for the Establishment" and ends with the words "District Lunatic Asylum."<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed.<br>Section three, the words "Commissioners of Her Majesty's," "said commissioners of Her Majesty's," and "her heirs and successors." | *S.* 10 *virt. rep.* 30 *&* 31 *Vict. c.* 118. *s.* 9.<br>*Rest unnecessary or spent.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 107. —*cont.* | Section four, the words "Commissioners of Her Majesty's." | |
| | Section five, the words "Commissioners of Her Majesty's" wherever they occur, the word "said" before the words "so repealed," and the words "under their hands." | |
| | Section six, the words "Commissioners of Her Majesty's," and "said Commissioners of Her Majesty's" wherever they occur, and the words "said Commissioners of the." | |
| | Section eight, the words "or other chief governor or governors of Ireland" and "for the time being," wherever they occur. | |
| | Section nine, from "or other" where those words first occur to "time being," and from "or other" to "of Ireland." | |
| | Section ten. | |
| | Section eleven, the words "of Ireland for the time being," "or they," "or hands," and "and they," and the words "or other chief governor or governors" and "or their" wherever they respectively occur. | |
| | Section twelve, the words "or other chief governor or governors" wherever they occur, and "or they," "or hands," and "or their" twice occurring. | |
| | Section thirteen, to "repealed and that," the word "that" before "the care," and from "or other" to the end of the section. | |
| | Section fourteen, to "Be it enacted that" from "or other" to "Ireland," and the words "or them." | |
| | Section fifteen, the words "or other chief governor or governors of Ireland" occurring twice, and "or them." | |
| | Section seventeen, to "Be it enacted that" the words "as aforesaid," and from "from" to "Act." | |
| | Section nineteen, to "next." | |
| | Section twenty, to "day." | |
| | Section twenty-one, to "September." | |
| | Section twenty-two, the words "or other "chief governor or governors of Ire- "land" occurring twice, and "for the time being." | |
| | Section twenty-three, to "enacted that." | |
| | Section twenty-five, to "passing of this Act." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 108. | An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty, for regulating the Irish Fisheries. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary or spent.* |
| | The words "And be it enacted that" wherever they occur, except in sections four and twelve. | |
| | The words "and be it enacted" in sections four and twelve. | |
| | Section two, from "after" to "forty-five." | |
| | Section ten, to "enacted that." | |
| | Section eleven, the words "from and after the passing of this Act." | |
| | Section sixteen, to "declared that." | |
| | Section twenty-five, the word "that." | |
| 8 & 9 Vict. c. 109. | An Act to amend the Law concerning Games and Wagers. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary or spent.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section nine, to "enacted that." | |
| | Section eleven, to "passing of this Act" and from "after the said" to "October." | |
| | Section eighteen, the word "that" before "no suit." | |
| | Section twenty, the word "that" before "every such." | |
| 8 & 9 Vict. c. 112. | An Act to render the Assignment of satisfied Terms unnecessary. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| 8 & 9 Vict. c. 113 | An Act to facilitate the Admission in Evidence of certain official and other Documents. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" in sections two, three, and five. | |
| | Section four, the words "and be it enacted." | |
| 8 & 9 Vict. c. 114. | An Act for the Abolition of certain Fees in Criminal Proceedings. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Sect. 2 spent: the sections of 55 Geo. 3. c. 50. authorising this compensation are repealed.* |
| | Section two. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 115. | An Act for the Appointment of a Taxing Master for the High Court of Chancery in Ireland. | |
| | In part, namely,— | |
| | Preamble. | *Sect.* 1 *as to part specified in col.* 2, *superseded by* 40 & 41 *Vict. c.* 57. *s.* 72, *and see Order* 2*nd July* 1881. |
| | The words "And be it enacted that" wherever they occur, except in section eleven. | |
| | Section one, to "forty-five" and from "and the business" to the end of the section. | |
| | Section two, the word "that" before "as often." | *Sect.* 6 *as to part specified in col.* 2, *superseded by* 40 & 41 *Vict. c.* 57. *s.* 73. |
| | Section three, the word "that" before "in case." | *Sects.* 9, 10, *superseded by* 40 & 41 *Vict. c.* 57. *s.* 72. |
| | Section six, the words "Commissioners of Her Majesty's" and from "and such taxing master" to the end of the section. | *Sect.* 13 *superseded by* 40 & 41 *Vict. c.* 57. *s.* 84. *and Order as to Court Fees, Dec.* 2*6*, 1877. |
| | Section eight, to "of this Act" and the words "that from and after the said thirtieth day of November." | |
| | Sections nine and ten. | *Rest unnecessary or spent.* |
| | Section eleven, the words "and be it enacted." | |
| | Section thirteen. | |
| | Section fourteen, from "shall grow" to "direct and," and the words "Commissioners of Her Majesty's." | |
| 8 & 9 Vict. c. 117. | An Act to amend the Laws relating to the Removal of poor Persons born in Scotland, Ireland, the Islands of Man, Scilly, Jersey, or Guernsey, and chargeable in England. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section seven, the word "that" wherever it occurs. | |
| 8 & 9 Vict. c. 118. | An Act the title of which begins with the words "An Act to facilitate" and ends with the words "Powers in certain Cases." | |
| | In part; namely,— | |
| | Preamble. | *Sects.* 73, 74, 109, 112, *as to part in col.* 2 *rep. virt. or in general terms by* 39 & 40 *Vict. c.* 56. *ss.* 24, 25, 26, 27. |
| | The words "And be it enacted that" wherever they occur, except in sections twelve to fourteen, twenty-two, twenty-nine, thirty-six, forty-nine, fifty-one, fifty-two, fifty-six, fifty-seven, sixty, eighty-one, eighty-eight, eighty-nine, ninety-six to ninety-eight, one hundred and seven, one hundred and twenty-five, one hundred and twenty-seven, one hundred and thirty-one, one hundred and forty-two, and one hundred and fifty. | *Rest unnecessary.* |
| | The words "and be it enacted" in sections twelve to fourteen, twenty-two, twenty-nine, thirty-six, forty-nine, fifty-one, fifty-two, fifty-six, | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 118. —*cont.* | fifty-seven, sixty, eighty-one, eighty-eight, eighty-nine, ninety-six to ninety-eight, one hundred and seven, one hundred and twenty-five, one hundred and twenty-seven, one hundred and thirty-one, one hundred and forty-two, and one hundred and fifty. | |
| | Section nine, the word "that" before "the Commissioners." | |
| | Section seventy-three, the words "unless "the same shall be otherwise awarded "under the provision herein-after "contained," the words "and sub-"ject thereto in aid of the rates "for the repair of the public high-"ways in the said parish or respective "parishes," and from "subject never-theless" to "herein-after provided." | |
| | Section seventy-four, to "his allotment; and." | |
| | Section seventy-five to "the award; and" | |
| | Section seventy-eight. | |
| | Section one hundred and six, the word "that" before "from and." | |
| | Section one hundred and nine, from "and the rent" to "such valuations." | |
| | Section one hundred and twelve, from "and the residue" to the end of the section. | |
| 8 & 9 Vict. c. 124. | An Act to facilitate the granting of certain Leases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that," and the word "that" at the commencement of sections two to eight. | *Unnecessary.* |
| 8 & 9 Vict. c. 127. | An Act for the better securing the Payment of Small Debts. | |
| | In part; namely,— | |
| | The words "And be it enacted that" wherever they occur, except in section sixteen. | *Unnecessary.* |
| | Section eight, to "Act." | |
| | Section nine, the words "or special pleader." | |
| | Section sixteen, the words "and be it enacted." | |
| | Section twenty-one, from "or into" to "Lancaster." | |
| | Section twenty-three, to "enacted that." | |
| | Section twenty-four, the words "or a special pleader." | |
| 8 & 9 Vict. c. 128. | An Act to make further Regulations respecting the Tickets of Work to be delivered to Silk Weavers in certain Cases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Sections four and five, and section six to "convicted; and," and section eight from "and that" to the end of the section; repealed as to England. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 128. —*cont.* | The words "And be it enacted that" wherever they occur except in section three.<br>Section three, the words "and be it enacted."<br>Section eight, the word "that" before "when any." | |
| 9 & 10 Vict. c. 1. | An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in Ireland.<br>In part; namely,— | |
| | Preamble. | *As to part of s.* 12 *in col.* 2 *unnecessary, having regard to* 13 *&* 14 *Vict. c.* 51. |
| | The words "And be it enacted that" wherever they occur. | |
| | Section three, to "from and after the passing of this Act." | |
| | Section four, the words "or other chief "governor or governors of Ireland." | *Rest unnecessary or spent.* |
| | Section six, to "therefore enacted that" and the words "Commissioners of Her Majesty's," and "or any three or more of them." | |
| | Section seven, to "enacted that." | |
| | Section eight, the word "that" before "no second." | |
| | Section twelve, from "and the expression Commissioners" to "three or more of them," from "and also all bishops" to "respective characters," and from "and the expression 'High'" to "remembrancer." | |
| 9 & 10 Vict. c. 2. | An Act the title of which begins with the words "An Act to authorize" and ends with the words "Presentments in Ireland."<br>In part; namely,— | |
| | Title from "to authorise" to "and also." | *As to title s.* 20 *is the only unrepealed section.* |
| | Section twenty, to "enacted that." | *Rest unnecessary.* |
| 9 & 10 Vict. c. 3. | An Act to encourage the Sea Fisheries of Ireland, by promoting and aiding with Grants of public Money the Construction of Piers, Harbours, and other Works.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *As to Exchequer virt. rep. by* 13 *&* 14 *Vict. c.* 51. |
| | The words "And be it enacted that" wherever they occur, except in sections eighteen, thirty-six, forty-two, forty-three, forty-six, fifty, seventy-one, and eighty-five. | *As to part of s.* 72 *in col.* 2 *sup.* 9 *&* 10 *Vict. c.* 24. *s.* 1, 16 *&* 17 *Vict.* c. 99. *s.* 14, 20 *&* 21 *Vict. c.* 3. *ss.* 2, 7. |
| | The words "and be it enacted" in sections eighteen, thirty-six, forty-two, forty-three, forty-six, fifty, seventy-one, and eighty-five. | *Rest unnecessary.* |
| | Section two, the word "that" before "in all" and before "no such." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 3.—*cont.* | Section five, the words "Commissioners of Her Majesty's" and "said Commissioners of the." | |
| | Section nine, the words "Commissioners of Her Majesty's" occurring twice and "or any three or more of them." | |
| | Section ten, the words "Commissioners of Her Majesty's" "the said Commissioners of" and "the Commissioners of." | |
| | Section eleven, the words "the Commissioners of." | |
| | Section fifteen, the words "said Commissioners of Her Majesty's" twice occurring. | |
| | Section sixteen, the words "Commissioners of Her Majesty's." | |
| | Section twenty-four, the words "said Commissioners of Her Majesty's." | |
| | Section forty-one, the words "or Exchequer" wherever they occur. | |
| | Section forty-two, the words "or Exchequer." | |
| | Section forty-five, the words "or Exchequer." | |
| | Section forty-six, the words "or Exchequer." | |
| | Section fifty-one, the words "the Commissioners of." | |
| | Section sixty, the words "or Exchequer." | |
| | Section seventy, the words "or other "chief governor or governors of Ire- "land," "or their," and "under his or their hands." | |
| | Section seventy-two, from "or to be" to the end of the section. | |
| | Section eighty-six, the words "Commissioners of Her Majesty's," and "the said Commissioners of" occurring twice. | |
| | Section eighty-seven from "and the expression Commissioners" to "any three or more of them." | |
| 9 & 10 Vict. c. 4. | An Act the title of which begins with the words "An Act to amend" and ends with the words "the present Year." | |
| | In part; namely,— | |
| | Title from "and to afford" to the end of the title. | *As to part of title in col. 2 unnecessary, having regard to repeal of ss. 45–51. Rest unnecessary.* |
| | Preamble. | |
| | Section one, to "same that," the word "that" before "in all cases," and the words "from and after the first day of January in this present year." | |
| | The words "And be it enacted that" wherever they occur (except in sections twelve and twenty-two), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 4. —*cont.* | Section six, to "passing of this Act." | |
| | Section ten, to "enacted that" the words "Commissioners of Her Majesty's" occurring twice, and from "of the United" to "Ireland" where they respectively first occur, and the words "last-mentioned" wherever they occur. | |
| | Section eleven, to "therefore enacted that." | |
| | The words "and be it enacted" in sections twelve and twenty-two. | |
| | Section eighteen, the words "or Exchequer." | |
| | Section twenty-four, to "enacted that." | |
| | Section twenty-seven, from "from and after" to "present year." | |
| | Section twenty-eight, the words "Commissioners of Her Majesty's." | |
| | Section thirty-one, the words "Commissioners of Her Majesty" occurring twice, "or any three or more of them," and "said Commissioners of the." | |
| | Section thirty-seven, to "enacted that." | |
| | Section forty-two, the words "or other "chief governor or governors of Ire- "land" occurring twice. | |
| | Section forty-three, to "enacted that." | |
| 9 & 10 Vict. c. 17. | An Act for the Abolition of the exclusive Privilege of trading in Burghs in Scotland. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 1 *proviso virt. rep. by Stamp Act*, 1870, "*Admission.*" |
| | Section one, to "cease, and" and from "Provided always" to end of section. | *Rest unnecessary.* |
| | Section two, to "enacted that." | |
| | Section three, to "enacted that." | |
| 9 & 10 Vict. c. 20. | An Act, the title of which begins with the words "An Act to amend," and ends with the words "Authority of Parliament." | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| 9 & 10 Vict. c. 24. | An Act for removing some Defects in the Administration of Criminal Justice. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *S.* 3 *sup.*, *C.O.R.* 1886, *Rule* 41. |
| | Sections three and four. | *S.* 4 *sup. as to E.*, *C.O.R.* 1886, *Rule* 200, *and as to I.*, *by C.O.R.* 1891, *Rule* 183. |
| 9 & 10 Vict. c. 33. | An Act to amend the Laws relating to Corresponding Societies and the Licensing of Lecture Rooms. | |
| | In part, namely,— | |
| | Preamble and section one, to "from and after the passing of this Act" and the words "made or incurred or." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 37. | An Act to amend the Laws relating to the Office of Coroner and the Expences of Inquests in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Sect. 7 and Sch. C. as to parts in col. 2, rep. in general terms by 44 & 45 Vict. c. 35. ss. 1, 4. Rest unnecessary or spent.* |
| | The words "And be it enacted that" wherever they occur (except in section thirty), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section two, to "passing of this Act," from "or other" to "time being," and the words "or they." | |
| | Section four, from "or other" to "time being," and the words "or they." | |
| | Section seven, the words "for two days only," the words "in each day," and the words "of either of the said days." | |
| | Section sixteen, the words "from and after the passing of this Act," occurring twice. | |
| | Section nineteen, to "passing of this Act." | |
| | Section thirty, the words "and be it enacted." | |
| | Section thirty-three, to "passing of this Act." | |
| | Section thirty-seven, to "passing of this Act." | |
| | Section forty-two, the words "from and after the passing of this Act." | |
| | Section forty-six, to "from and after the passing of this Act." | |
| | Section forty-seven. | |
| | Section fifty, to "passing of this Act." | |
| | Schedule C., the entry relating to any poor witness. | |
| 9 & 10 Vict. c. 57. | An Act for regulating the Gauge of Railways." | |
| | In part; namely,— | |
| | Preamble and section one, to "Act" where it first occurs. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section four, the words "after the passing of this Act." | |
| 9 & 10 Vict. c. 59. | An Act to relieve Her Majesty's Subjects from certain Penalties and Disabilities in regard to Religious Opinions. | |
| | In part; namely,— | |
| | Section one, to "same that." | *Unnecessary.* |
| 9 & 10 Vict. c. 60. | An Act the title of which begins with the words "An Act to exempt," and ends with the words "in Ireland." | |
| | In part; namely,— | |
| | Preamble and section one, to "present year." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 61. | An Act the title of which begins with the words "An Act to amend" and ends with the word "Ireland." | |
| | In part; namely,— | |
| | To "of the same that." | *Unnecessary.* |
| 9 & 10 Vict. c. 64. | An Act to enable Courts of Law in Ireland to give Relief against adverse Claims made upon Persons having no Interest in the Subject Matter of such Claims. | |
| | In part; namely— | |
| | Preamble. | *As to part of s.* 1 *in col.* 2, *virt. rep. by Rule* 12 *in Schedule to Sup. Court of Jud.* (*I.*) *Act*, 1877. |
| | Section one, to "same that" and from "such application" to "plea." | |
| | The words "And be it enacted that" in sections two, three, and seven. | |
| | The words "and be it enacted" in sections four and five. | *Rest unnecessary.* |
| 9 & 10 Vict. c. 66. | An Act to amend the Laws relating to the Removal of the Poor. | |
| | In part; namely— | |
| | Preamble and section one, to "Act" where it first occurs. | *Unnecessary.* |
| | The words, "And be it enacted that" wherever they occur, except in section five. | |
| | Section five, the words "and be it enacted." | |
| 9 & 10 Vict. c. 68. | An Act for better enabling the Burial Service to be performed in One Chapel where contiguous Burial Grounds shall have been provided for Two or more Parishes or Places. | |
| | In part; namely,— | |
| | Section one, the words "for England." | *Unnecessary.* |
| | The words "And be it enacted that" in sections two, three, and five. | |
| | The words "and be it enacted" in section four. | |
| | Section five, the words "for England." | |
| 9 & 10 Vict. c. 70. | An Act to amend the Act to facilitate the Inclosure and Improvement of Commons. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section two. | |
| | Section two, the words "and be it enacted." | |
| | Section twelve, to "enacted that." | |
| 9 & 10 Vict. c. 72. | An Act to amend the Act for Marriages in Ireland, and for registering such Marriages. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section three, to "enacted that." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 73. | An Act further to amend the Acts for the Commutation of Tithes in England and Wales. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Sects.* 1, 2, 16, *obsolete having regard to complete commutation of tithe.* |
| | The words "And be it enacted that" wherever they occur, except in section ten. | |
| | Section ten, the words "and be it enacted." | *Rest unnecessary.* |
| | Sections one, two, and sixteen, except as to any tithes which have not been commuted. | |
| 9 & 10 Vict. c. 74. | An Act to encourage the Establishment of public Baths and Wash-houses. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section twenty, to "be it enacted that." | |
| | Section twenty-one, the words "Commissioners of Her Majesty's" occurring twice. | |
| | Section twenty-four, the words "Commissioners of Her Majesty's." | |
| | Section thirty-one, the words "Commissioners of Her Majesty's" occurring twice. | |
| | Section thirty-two, the words "Commissioners of Her Majesty's." | |
| 9 & 10 Vict. c. 76. | An Act for the Abolition of the exclusive Privilege of Trading, or of regulating Trades, in Cities, Towns, or Boroughs in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "Ireland; and." | |
| | The words "and be it enacted" in sections five and six. | |
| 9 & 10 Vict. c. 77. | An Act to amend the Acts relating to the Offices of the House of Commons. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section three, the words "Commissioners of Her Majesty's." | |
| | Section five, to "enacted that" and the word "that" before "in the event." | |
| 9 & 10 Vict. c. 86. | An Act to extend and consolidate the Powers hitherto exercised by the Commissioners of Public Works in Ireland, and to appoint additional Commissioners. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary or spent.* |
| | Section two, to "forty-six." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 86. —*cont.* | The words "And be it enacted that" wherever they occur.<br>Section four, to "enacted that."<br>Section six, the word "that" before "the commissioners."<br>Section nine, the words "Commissioners of Her Majesty's," "or any three or more of them," "said Commissioners of the" and "said Commissioners of Her Majesty's." | |
| 9 & 10 Vict. c. 87. | An Act for promoting the voluntary Establishment in Boroughs and certain Cities and Towns in Ireland of Public Baths and Washhouses.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur.<br>Section five, from "or other" to "time being."<br>Section six, to "be it enacted that."<br>The words "Commissioners of Her Majesty's" in sections seven, ten, seventeen, and eighteen. | *Unnecessary.* |
| 9 & 10 Vict. c. 88. | An Act to remove Doubts as to the Legality of certain Assignments of Ecclesiastical Patronage.<br>In part; namely,—<br>Preamble and section one, to "same that" and the word "that" before "every." | *Unnecessary.* |
| 9 & 10 Vict. c. 90. | An Act to prevent the Use of Stills by unlicensed Persons.<br>In part; namely,—<br>Preamble.<br>Section one, to "from and after the passing of this Act," and the words "her heirs and successors."<br>The words "And be it enacted that" wherever they occur. | *Unnecessary.* |
| 9 & 10 Vict. c. 93. | An Act for compensating the Families of Persons killed by Accidents.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur, except in section three.<br>Section three, the words "and be it enacted." | *Unnecessary.* |
| 9 & 10 Vict. c. 97. | An Act, the title of which begins with the words "An Act to provide" and ends with the words "Constabulary Force."<br>In part; namely,—<br>Preamble.<br>Section two, to "October next" and the word "commissioners of her Majesty's" and "or any three or more of them." | *Unnecessary or spent.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 97. —*cont.* | Section three, the words "or other chief governor or governors of Ireland," and "or they" wherever they respectively occur, from "and thereupon" to "should be removed," and the words "exceeding the numbers aforesaid." | |
| | Section four, to "enacted that," and the words "or other chief governor or governors" occurring twice, and "or are." | |
| | Section five, the words "and be it enacted," and the words "or other "chief governor or governors" wherever they occur. | |
| | Section six, to "this Act." | |
| 9 & 10 Vict. c. 101. | An Act to authorise the Advance of Public Money to a Limited Amount, to promote the Improvement of Land in Great Britain and Ireland by Works of Drainage. | |
| | In part; namely,— | |
| | Preamble. | *As to Exchequer in equity in Ireland, virt. rep. by* 13 *&* 14 *Vict. c.* 51. |
| | The words "And be it enacted that" wherever they occur, except in section twenty-three. | |
| | Section eighteen, the words "or Court "of Exchequer at the equity side "thereof." | *Rest unnecessary.* |
| | Section twenty, the words "or Court of Exchequer at the equity side thereof," the words "or Lord Chief Baron of the Exchequer," the words "or the "chief remembrancer of the said "Court of Exchequer," and the words "and for the Lord Chief Baron of the Court of Exchequer in Dublin." | |
| | Section twenty-two, the words "and Court of Exchequer." | |
| | Section twenty-three, the words "and be it enacted," and the words "or Exchequer." | |
| | Section twenty-six, to "company of." | |
| | Section thirty-two, the words "Commissioners of the." | |
| | Section forty-two, the words "Commissioners of the" occurring twice. | |
| | Section forty-five, the words "Commissioners of the." | |
| | Section forty-nine from "the words Commissioners" to "time being" where these words secondly occur. | |
| 9 & 10 Vict. c. 103. | An Act to make further Provision for the Government of the New Zealand Islands. | *Virt. rep.* 15 *&* 16 *Vict. c.* 72. *s.* 1. |
| | Repealed as to all Her Majesty's Dominions. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 111. | An Act to amend the Law in Ireland as to Ejectments and Distresses, and as to the Occupation of Lands. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section fifteen, to "of this Act." | |
| 9 & 10 Vict. c. 112. | An Act to facilitate and encourage the granting of certain Leases for Terms of Years in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *S.* 4 *sup. Conveyancing Act*, 1881, *s.* 6. *Rest unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section four. | |
| 9 & 10 Vict. c. 113. | An Act to improve the Proceedings in Prohibition and on Writs of Mandamus in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that," | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section two, to "enacted that." | |
| | Section five, to "enacted that." | |
| | Section six, to "enacted that." | |
| 9 & 10 Vict. c. 115. | An Act the title of which begins with the words "An Act to amend" and ends with the words "in Ireland." | |
| | In part, namely,— | |
| | Title from "to provide for the expence" to the end of the title. | *Title as to part specified in col. 2 unnecessary, having regard to repeal of whole Act, except ss.* 2, 3 *by St. Law Rev. Acts*, 1875 *and* 1878. |
| | The words "or other chief governor or governors," and "or other chief governor or governors of Ireland" wherever they occur. | |
| | Section two, to "therefore enacted that." | |
| | Section three, to "enacted that." | *Rest unnecessary.* |
| 10 & 11 Vict. c. 4. | An Act for abolishing poundage on Chelsea Pensions. | |
| | In part; namely,— | |
| | Preamble and section one, to "same . . . that." | *Unnecessary.* |
| 10 & 11 Vict. c. 11. | An Act to explain and amend the Act authorising the Advance of Money for the Improvement of Land by Drainage in Great Britain. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 11. —*cont.* | The words "And be it enacted, that" in sections two, three, five, and seven to nine. | *As to part of s.* 2 *in col.* 2, *rep. in general terms* 19 & 20 *Vict. c.* 9. *s.* 9. |
| | Section two, from "and it shall" to the end of the section. | *As to words in s.* 11, *superseded* 19 & 20 *Vict. c.* 9. *s.* 13. |
| | Section four, the words "and be it enacted." | *Rest unnecessary.* |
| | Section seven, the words "Commissioners of Her Majesty's." | |
| | Section ten, to "that." | |
| | Section eleven, to "one Act, and." | |
| 10 & 11 Vict. c. 14. | The Markets and Fairs Clauses Act, 1847. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *As to Com. Pleas of Lancaster and Durham obsolete.* |
| | Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and," "or stewartry" from "and the steward" to "in Scotland" and the words "and steward depute respectively." | *As to stewartry, &c. unnecessary.* |
| | Section fifty-five, the words "or steward" and "stewartry." | |
| 10 & 11 Vict. c. 15. | The Gasworks Clauses Act, 1847. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *See preceding note.* |
| | Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and," "or stewartry," from "and the steward" to "in Scotland," and the words "and steward depute respectively." | |
| | Section forty-two, the words "or steward" and "stewartry." | |
| | The words "And be it enacted that" in sections forty-eight and forty-nine. | |
| 10 & 11 Vict. c. 16. | An Act for consolidating in One Act certain Provisions usually contained in Acts with respect to the Constitution and Regulation of Bodies of Commissioners appointed for carrying on Undertakings of a public Nature. | |
| | In part; namely,— | |
| | Preamble from "and that" to end of preamble. | *See note to* 10 *&* 11 *Vict. c.* 14. |
| | Section one, to "same that." | *Sched. (D) not referred to in unrepealed sections.* |
| | Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and" "or stewartry," from "and the steward" to "in Scotland," and the words "and steward depute respectively." | |
| | Section one hundred and five, the words "or steward" and "or stewartry." | |
| | Schedule (D.) | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 17. | The Waterworks Clauses Act, 1847.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *See note to* 10 & 11 *Vict. c.* 14. |
| | Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and" or "stewartry" from "and the steward" to "in Scotland," and the words "and steward depute respectively." | |
| | Section eighty-seven, the words "or steward" and "stewartry." | |
| | Section ninety-three, to "enacted, that." | |
| 10 & 11 Vict. c. 21. | An Act to regulate the Stations of Soldiers during Parliamentary Elections.<br>In part; namely,— | |
| | Preamble. | *Unnecessary; as to s.* 3 *see* 26 & 27 *Vict. c.* 12. *s.* 1. |
| | Section two, to "enacted, that," and the word "that" before "every." | |
| | Section three, to "enacted, that," and from "or, in case" to "stead." | |
| | Section four, to "enacted, that." | |
| 10 & 11 Vict. c. 26. | An Act for enabling the Commissioners of Public Works in Ireland to purchase Land for Prisons in Ireland.<br>In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same that." | |
| | The words "And be it enacted, that" wherever they occur. | |
| | The words "Commissioners of Her Majesty's" wherever they occur, and the word "said" wherever it occurs before the words so repealed. | |
| | Section three, the words "her heirs and successors." | |
| | Section six, the words "said commissioners of the." | |
| 10 & 11 Vict. c. 27. | The Harbours, Docks, and Piers Clauses Act, 1847.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Interp. Act, ss.* 7, 12, *and* 30. |
| | Section three, from "and shall include" to "of Durham," the words "stewartry, and," "or stewartry," from "and the stewart depute" to "in Scotland," the words "and steward depute respectively," and from "The expression the Lords" to "High Admiral" where those words last occur. | |
| | The words "her heirs and successors" in sections twelve and twenty-eight. | |
| | The words "Her Majesty's" wherever they occur in sections twelve and thirteen, and where they last occur in section ninety-nine. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 27. —*cont.* | The words "Forests, Land Revenues, Works and Buildings" wherever they occur in sections twelve, thirteen, and ninety-nine. | |
| | The words "the Lords of" and "the said Lords of" wherever they respectively occur in sections twelve, thirteen, sixteen, eighteen, and ninety-nine. | |
| | Section twenty-four, the words "Commissioners of Her Majesty's" where they first occur. | |
| | Section ninety-four, the words "or steward" and "stewartry." | |
| | Section ninety-nine, the words "her heirs or successors" and "for the time being." | |
| | Section one hundred and three, to "enacted, that." | |
| 10 & 11 Vict. c. 28. | An Act to amend the Acts relating to County Buildings. | |
| | In part; namely,— | |
| | Preamble (except from "And whereas doubts") and section one, to "same, that." | *Unnecessary.* |
| 10 & 11 Vict. c. 31. | An Act to make further Provision for the Relief of the destitute Poor in Ireland. | |
| | In part; namely,— | *Unnecessary.* |
| | Preamble and section one, to "same, that." | |
| | The words "And be it enacted, that" wherever they occur, except in section fifteen. | |
| | Section fourteen, to "enacted, that." | |
| | Section fifteen, the words "and be it enacted." | |
| | Section sixteen, to "passing of this Act." | |
| | Section seventeen, to "enacted, that," and the word "that" before "so much." | |
| | Section eighteen, to "passing of this Act." | |
| | Section nineteen, to "enacted, that." | |
| | Section twenty-one, to "said unions" where those words secondly occur. | |
| 10 & 11 Vict. c. 32. | An Act to facilitate the Improvement of Landed Property in Ireland. | |
| | In part; namely,— | |
| | Preamble. | |
| | The words "And be it enacted, that" wherever they occur, except in sections nine, forty-two, fifty-one, and sixty-three. | *Unnecessary.* |
| | Section three, the words "the Commissioners of" where they secondly occur. | |
| | The words "said Commissioners of Her Majesty's" and "Commissioners of Her Majesty's," wherever they respectively occur in sections three, four, | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 32. —*cont.* | five, fifteen, eighteen, twenty-four, twenty-six, thirty, thirty-three, thirty-four, forty-one, forty-two, forty-seven, forty-nine, and fifty-five.<br>The words "and be it enacted" in sections nine, forty-two, fifty-one, and sixty-three.<br>Section twenty-five, to "company of."<br>Section twenty-seven, the word "that" before "no second."<br>The words "Commissioners of the" in sections thirty-one and thirty-five.<br>Section fifty-five, to "enacted, that."<br>Section sixty-two, to "enacted, that."<br>Section sixty-five, the words "her heirs and successors," the words "for the time being" where first occurring; "Her Majesty's," and "Forests, Land Revenues, Works, and Buildings."<br>Section sixty-six, from "the words Commissioners" to "two of them." | |
| 10 & 11 Vict. c. 33. | An Act to amend the Laws relating to the Removal of poor Persons from England and Scotland.<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>The words "And be it enacted, that" wherever they occur.<br>Section four, the word "that" before "the words." | *Unnecessary.* |
| 10 & 11 Vict. c. 34. | The Towns Improvement Clauses Act, 1847.<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>Section three, from "and shall include the Court" to "of Durham." | *As to courts obsolete, rest unnecessary.* |
| 10 & 11 Vict. c. 38. | An Act to facilitate the Drainage of Lands in England and Wales.<br>In part; namely,—<br>Preamble and section one to "same, that" and the word "that" before "the assistant."<br>The words "And be it enacted, that" wherever they occur, except in sections twelve, fifteen, eighteen, and nineteen.<br>The words "and be it enacted" in sections twelve, fifteen, eighteen, and nineteen.<br>Section nineteen, the words "and Forests." | *Unnecessary.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 39. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of Scotland." | *Spent. See terms of repeal by* 13 & 14 *Vict. c.* 33. *s.* 1. *Return* (*Scotland*), *No.* 390 *of Session* 1870, *showed that only four burghs then had their Police regulated by the Act* 3 & 4 *Will.* 4. *c.* 46; *and all these have now adopted the Police Act of* 1862 (25 & 26 *Vict. c.* 101). |
| 10 & 11 Vict. c. 42. | An Act to transfer the Collection and Management of the duties in respect of Stage Carriages, Hackney Carriages, and Railway Passengers from the Commissioners of Stamps and Taxes to the Commissioners of Excise.<br>In part; namely,—<br>Title, the words "Stage Carriages, Hackney Carriages, and."<br>Preamble and section one, to "same, that."<br>Section two, to "enacted, that," and the word "that" before "all the powers." | *Words of title in col.* 2 *fall with partial repeal of Act by* 38 & 39 *Vict. c.* 66. (*S.L.R.*)<br>*Rest unnecessary.* |
| 10 & 11 Vict. c. 46. | An Act to facilitate the temporary Investment of Trust Monies in the Improvement of Landed Property in Ireland.<br>In part; namely,—<br>Preamble to "Ireland: And."<br>The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Unnecessary.* |
| 10 & 11 Vict. c. 52. | An Act for the Correction of certain Abuses which have frequently prevailed at the Elections of Representative Peers for Scotland.<br>In part; namely,—<br>The words "And be it enacted, that" wherever they occur, except in section five.<br>Section five, the words "and be it enacted." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 61. | An Act to amend the Act for the Establishment of public Baths and Washhouses. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | Section two, to "declared, that." | |
| | The words "And be it enacted, that" in sections four, five, and seven. | |
| 10 & 11 Vict. c. 62. | An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 10 & 11 Vict. c. 63. | An Act for limiting the Time of Service in the Royal Marine Forces. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "this Act." | |
| | The words "And be it enacted, that" in sections three, seven, and eight. | |
| | Section four, the words "also, and be it enacted." | |
| | The words "and be it enacted" in sections five and six. | |
| 10 & 11 Vict. c. 65. | The Cemeteries Clauses Act, 1847. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *As to courts obsolete. Rest unnecessary.* |
| | Section three, from "and shall include the Court" to "of Durham." | |
| | Section sixty-eight to "enacted, that." | |
| 10 & 11 Vict. c. 67. | An Act to amend the Law as to the Custody of Offenders. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that" and the word "that" before "all the." | *Unnecessary.* |
| | Section two, to "enacted, that." | |
| 10 & 11 Vict. c. 69. | An Act for the more effectual Taxation of Costs on Private Bills in the House of Commons. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 72. | An Act for the further Amendment of the Laws relating to Turnpike Roads in South Wales. | |
| | In part; namely,— | |
| | The whole Act except section thirteen. | *Virt. rep.* 51 & 52 *Vict. c.* 41. *s.* 13. |
| 10 & 11 Vict. c. 79. | An Act the title of which begins with the words "An Act to continue" and ends with the words "said Act." | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section two, to "enacted that." | |
| | Section three, to "declared that." | |
| | The words "And be it enacted, that" in sections four and five. | |
| 10 & 11 Vict. c. 84. | An Act to make Provision for the Punishment of Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in Ireland. | |
| | In part; namely,— | |
| | The words "And be it enacted, that" wherever they occur. | *Unnecessary.* |
| | Section eight, the word "that" wherever it occurs. | |
| 10 & 11 Vict. c. 85. | An Act for giving further Facilities for the Transmission of Letters by Post, and for the regulating the Duties of Postage thereon, and for other Purposes relating to the Post Office. | |
| | In part; namely,— | |
| | The words "And be it enacted, that" and "Commissioners of Her Majesty's" wherever they occur. | [*Ss.* 1, 2, 4, 6 *already repealed.*] |
| | Section one to six. | *Ss.* 3, 5 *sup.* 38 & 39 *Vict. c.* 22. *ss.* 2, 4; *s.* 3 *is already rep. except as to colonial postage.* |
| | Section twelve, to "enacted that." | |
| | Section fourteen, to "declared, that." | |
| | Section sixteen, to "enacted that." | |
| | Section seventeen. | *S.* 17, *sup.* 17 & 18 *Vict. c.* 94. |
| | Section eighteen, from "either under" to "Treasury, . . . . or." | *Rest unnecessary, see Interp. Act, s.* 12, *and as to s.* 18, *see* 12 & 13 *Vict. c.* 89. |
| | Section twenty, the word "that" wherever it occurs, except before "is to say." | |
| 10 & 11 Vict. c. 89. | The Town Police Clauses Act, 1847. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Preamble unnecessary.* |
| | Section three, from "and shall include h: Court" to "of Durham." | *S.* 3 *as to part in col.* 2 *obsolete.* |
| 10 & 11 Vict. c. 90. | An Act to provide for the Execution of the Laws for the Relief of the Poor in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary, and as to s.* 24, *see Interp. Act, s.* 12. |
| | The words "And be it enacted, that" in sections seven, nine, twelve, fourteen, fifteen, seventeen, and twenty-four. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 90. —*cont.* | Section eleven, to "enter on their office."<br>The words "And be it declared and enacted, that" in sections nineteen and twenty.<br>Section sixteen, the words "and be it declared and enacted."<br>Section seventeen, from "from and after" to "their office."<br>Section twenty-one, the word "that" before "every such."<br>Section twenty-four, from "and that the words" to the end of the section. | |
| 10 & 11 Vict. c. 91. | An Act to increase the Number of Trustees for the Herring Fishery, and to direct the Application of the Funds granted for the Promotion of Manufactures and Improvements, in Scotland.<br>In part; namely,— | |
| | Title from "to increase" to "Fishery, and."<br>Preamble.<br>Section one.<br>The words "And be it enacted, that," "Commissioners of Her Majesty's," and "said Commissioners of Her Majesty's" wherever they occur.<br>Section two, the words "or any three of them" and "under their hands." | *Title as to part col.* 2 *unnecessary if s.* 1 *is repealed.*<br>*Preamble unnecessary.*<br>*Sect.* 1 *virt. rep.* 45 & 46 *Vict. c.* 78. *s.* 3.<br>*Rest unnecessary.* |
| 10 & 11 Vict. c. 92. | An Act for the Protection of Mussel Fisheries in Scotland.<br>In part; namely,— | |
| | Preamble, from "And whereas."<br>Section one, to "same, that."<br>Section two, to "enacted, that."<br>Section three, to "enacted, that."<br>Section four, to "enacted that." | *Unnecessary.* |
| 10 & 11 Vict. c. 94. | An Act to amend an Act to enable Canal Companies to become Carriers upon their Canals.<br>In part; namely,— | |
| | Preamble and section one, to "same, that."<br>Section two, to "enacted, that."<br>Section three, the words "be it enacted, that."<br>Section four, to "enacted, that. | *Unnecessary.* |
| 10 & 11 Vict. c. 95. | An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom.<br>In part; namely,— | |
| | Preamble and section one, to "same that."<br>Section two, to "enacted, that and the word "that" before "a copy" | *Unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 96. | An Act for better securing Trust Funds, and for the Relief of Trustees.<br>In part; namely,— | |
| | Preamble. | *Sect. 5 unnecessary by reason of transfer of jurisdiction under this Act to High Court*, see *J.A.* 1873, *s.* 16. |
| | Section one, to "same, that," the word "that" before "all trustees," and the words "of the governor and company." | |
| | Section two, to "enacted that." | |
| | Section five. | *Rest unnecessary.* |
| 10 & 11 Vict. c. 98. | An Act to amend the Law as to Ecclesiastical Jurisdiction in England.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 10 & 11 Vict. c. 100. | An Act to regulate the Superannuation Allowances of the Constabulary Force in Ireland and the Dublin Metropolitan Police.<br>In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that," "or other chief governor or governors of Ireland," "or other chief governor or governors," and "Commissioners of Her Majesty's" wherever they occur. | |
| | Section three, the words "or their." | |
| | Section four, the words "or any three or more of them" and the words "of the Lord Lieutenant" where secondly occurring. | |
| | The words "or any three or more of them" in sections five, eight, and ten. | |
| | Section ten, the words "of the Lord Lieutenant" where secondly occurring. | |
| 10 & 11 Vict. c. 104. | An Act the title whereof begins with the words "An Act to explain" and ends with the words "of Parliament."<br>In part; namely,— | |
| | Title, from "and to continue" to the end of the title. | *Part of title in col. 2, spent: rest unnecessary.* |
| | Preamble. | |
| | Section two, to "enacted that." | |
| | Section three, the words "and be it enacted." | |
| | Section four, to "enacted, that." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 108. | An Act for establishing the Bishoprick of Manchester, and amending certain Acts relating to the Ecclesiastical Commissioners for England.<br>In part; namely,— | |
| | Preamble, to "Churches of Wales." | *Latter part of s. 2 spent and superseded 41 & 42 Vict. c. 68. s. 5.* |
| | Section two, to "enacted, that" and from "and whenever" to the end of the section. | |
| 10 & 11 Vict. c. 109. | An Act for the Administration of the Laws for Relief of the Poor in England.<br>In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" in sections five, eleven, thirteen, fifteen, seventeen, nineteen, twenty, twenty-one, twenty-four, twenty-five, and twenty-nine. | |
| | Section nineteen, from "Lord" to "Majesty's" where those words respectively twice occur. | |
| | Section twenty-two, from "Lord" to "Majesty's" and the words "for the time being." | |
| | Section twenty-three, the words "and be it enacted." | |
| | Section twenty-six, to "enacted, that." | |
| 10 & 11 Vict. c. 111. | An Act to extend the Provisions of the Act for the Inclosure and Improvement of Commons.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | Section two, the words "and be it enacted." | |
| | Section three, to "declared, that." | |
| | Section five, to "enacted that." | |
| | The words "And be it enacted, that" in sections four and seven to nine. | |
| 10 & 11 Vict. c. 113. | An Act to facilitate the Drainage of Lands in Scotland.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in sections seven, ten, and sixteen. | |
| | Section two, the word "that" before "notice." | |
| | The words "and be it enacted" in sections seven, ten, and sixteen. | |
| | Section sixteen, the words "and Forests" occurring twice. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 2. | An Act for the better Prevention of Crime and Outrage in certain parts of Ireland until the First day of December one thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament. | *Expired.* [*Last continued by* 38 *&* 39 *Vict. c.* 14. *to* 1880.] |
| 11 & 12 Vict. c. 5. | An Act the title of which begins with the words "An Act to suspend" and ends with the words "in lieu thereof." Repealed as to all Her Majesty's dominions. | *Virt. rep.* 15 *&* 16 *Vict. c.* 72. *s.* 1. |
| 11 & 12 Vict. c. 12. | An Act for the better Security of the Crown and Government of the United Kingdom. In part; namely,— | |
| | Preamble. | *S.* 4 *and words as to open speaking in s.* 3 *spent. See Stephen Dig. Cr. Law, Art.* 62 *and note.* |
| | Section two, to "enacted, that." | |
| | The words "And be it enacted that" in sections three, five, eight, and ten. | |
| | Section three, the words "her heirs or successors" wherever they occur, and the words "or them," "or their," and "or by open and advised speaking." | *Rest unnecessary.* |
| | Section four. | |
| | The words "and be it enacted" in sections six, seven, and nine. | |
| 11 & 12 Vict. c. 13. | An Act for amending the Law for the leasing of Mines in Ireland. In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same . . . that." | |
| | The words "And be it enacted, that" wherever they occur. | |
| 11 & 12 Vict. c. 21. | An Act to consolidate and amend the Laws relating to Insolvent Debtors in India. In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in sections twelve, thirty-seven, forty-three, fifty-seven, sixty-two, seventy-nine, eighty-one, eighty-three, eighty-four, eighty-six, and ninety-four, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections twelve, thirty-seven, forty-three, fifty-seven, sixty-two, seventy-nine, eighty-one, eighty-three, eighty-four, eighty-six and ninety-four. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 21. —*cont.* | Section five, to "take effect."<br>Section eight, to "take effect."<br>Section fourteen, to "operation" and from "in the course" to "afterwards."<br>Repealed as to all Her Majesty's dominions. | |
| 11 & 12 Vict. c. 25. | An Act to extend the Powers given by former Acts for purchasing or hiring Land in connexion with or for the Use of Workhouses in Ireland; and for providing for the Burial of the Poor.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section two, the word "that" before "all the." | |
| 11 & 12 Vict. c. 26. | An Act the title of which begins with the words "An Act to remove" and ends with the words "other Cases."<br>In part; namely,— | |
| | Preamble, to "trouble therein." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section six, to "therefore enacted that" and the word "that" before "wherever." | |
| | Section seven, to "this Act." | |
| 11 & 12 Vict. c. 28. | An Act to amend the Law of Imprisonment for Debt in Ireland, and to improve the Remedies for the Recovery of Debts and of the Possession of Tenements situate in Cities and Towns in certain Cases.<br>In part; namely,— | |
| | Title, from "and of the" to the end of the title. | *Unnecessary.* |
| | Preamble. | |
| | The words "and be it enacted" in sections seven and eight. | |
| | Section three, the words "after the passing of this Act." | |
| | Section nine, to "this Act." | |
| | The words "And be it enacted, that" in sections eighteen and nineteen. | |
| | Section eighteen, the words "and the schedule thereto annexed." | |
| 11 & 12 Vict. c. 29. | An Act to enable Persons having a Right to kill Hares in England and Wales to do so, by themselves or Persons authorized by them, without being required to take out a Game Certificate. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 29. —*cont.* | In part; namely,— | |
| | Preamble. | *Sect.* 4 *superseded* 23 & 24 *Vict. c.* 90. *s.* 5. |
| | Section one, to "of this Act." | |
| | The words "and be it enacted" in sections two, five, and six. | *Rest unnecessary.* |
| | The words "And be it enacted, that" in sections three and eight. | |
| | Section four. | |
| | Section seven, to "enacted, that" and the word "that" wherever it occurs. | |
| 11 & 12 Vict. c. 30. | An Act to enable all Persons having at present a Right to kill Hares in Scotland to do so themselves, or by Persons authorized by them, without being required to take out a Game Certificate. | |
| | In part; namely,— | |
| | Preamble. | *Part of s.* 1 *in cl.* 2 *obsolete.* |
| | Section one, to "of this Act," and from "without the payment" to "aforesaid, and." | *Sect.* 3 *superseded* 23 & 24 *Vict. c.* 90. *s.* 5. |
| | The words "And be it enacted, that" in sections two, five, and six. | *Rest unnecessary.* |
| | Section three. | |
| | Section four, the words "and be it enacted." | |
| 11 & 12 Vict. c. 31. | An Act to amend the Procedure in respect of Orders for the Removal of the Poor in England and Wales, and Appeals therefrom. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 11 & 12 Vict. c. 32. | An Act to facilitate the Collection of County Cess in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two and three. | |
| 11 & 12 Vict. c. 36. | An Act for the Amendment of the Law of Entail in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section thirty-seven, to "passing of this Act." | |
| | Section forty-one, from "by which Act" to "in Scotland" where those words first occur, and from "the said provision" to "repealed, and." | |
| | Section forty-eight, to "of this Act." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 37. | An Act to amend the Law relative to the Assignment of Ecclesiastical Districts. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section two, to "enacted that." | |
| | Section three, to "enacted, that." | |
| | Section four, to "declared that." | |
| | Section five, to "enacted, that." | |
| 11 & 12 Vict. c. 42. | An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales with respect to Persons charged with indictable Offences. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted, that" and "And be it declared and enacted, that" wherever they occur. | |
| | Section five, the word "that" before "all such." | |
| | Section six, the word "that" before "all and." | |
| | Section seven, to "enacted that." | |
| | Section fourteen, the words "or steward" and "stewards officers." | |
| | Section fifteen, the words "or steward" twice occurring, and the word "steward" where it last occurs. | |
| | Section twenty-two, to "enacted that." | |
| | Section twenty-nine, the word "that" before "the several" and before "nothing." | |
| | Section thirty, the word "that" before "nothing." | |
| 11 & 12 Vict. c. 43. | An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within England and Wales, with respect to summary Convictions and Orders. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *S.* 31 (*as to part in Col.* 2), s. 32, *and Schedule, virt. rep. by Sum. Jur. Rules*, 1886, *Rule* 32. |
| | The capital letters and figures within brackets referring to the Schedule, wherever they occur. | |
| | The words "And be it enacted, that" and "And be it declared and enacted, that" wherever they occur. | *Rest unnecessary.* |
| | Section ten, the word "that" before "every." | |
| | Section thirty-one, from "in the form" to "like effect." | |
| | Section thirty-two. | |
| | Section thirty-three, the word "that" before "the several" and before "nothing." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 43. —*cont.* | Section thirty-four, the word "that" before "nothing."<br>Section thirty-seven, the word "that" before "nothing."<br>Schedule. | |
| 11 & 12 Vict. c. 44. | An Act to protect Justices of the Peace from vexatious Actions for Acts done by them in execution of their Office.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section four, the word "that" before "in all cases."<br>Section five, to "enacted that." | |
| 11 & 12 Vict. c. 46. | An Act for the Removal of Defects in the Administration of Criminal Justice.<br>In part; namely,— | |
| | Section four, to "enacted that."<br>Section five, to "enacted, that." | *Unnecessary.* |
| 11 & 12 Vict. c. 47. | An Act for the Protection and Relief of the destitute Poor evicted from their Dwellings in Ireland.<br>In part; namely,— | |
| | Preamble. | *Interp. Act, s.* 12, *and unnecessary.* |
| | Section one, to "of this Act."<br>The words "And be it enacted, that" wherever they occur.<br>Section eight, the words "the Lords Commissioners of" and "and Forests." | |
| 11 & 12 Vict. c. 48. | An Act to facilitate the Sale of Incumbered Estates in Ireland.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in sections nine, twelve, fifteen, nineteen, twenty-eight, thirty-two, thirty-four to thirty-eight, forty-four, forty-eight, fifty-three, fifty-five to fifty-eight, sixty-one, sixty-two, sixty-seven, and sixty-nine, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections nine, twelve, fifteen, nineteen, twenty-eight, thirty-two, thirty-four to thirty-eight, forty-four, forty-eight, fifty-three, fifty-five to fifty-eight, sixty-one, sixty-two, sixty-seven, and sixty-nine. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 48. —*cont.* | Section ten, the words "her heirs and successors." | |
| | Section seventeen, to "passing of this Act." | |
| | Section twenty-seven, the words "her heirs and successors." | |
| | Section thirty-seven, from "or other" to "of Ireland." | |
| | Section seventy-two, to "enacted, that," and the word "that" before "such judgment." | |
| 11 & 12 Vict. c. 55. | An Act for consolidating the Offices of Paymasters of Exchequer Bills and Paymaster of Civil Services with the Office of Paymaster General, and for making other Provisions in regard to the consolidated Offices. | |
| | In part; namely,— | |
| | Preamble. | *Preamble leads up to s. 1, which is spent: rest unnecessary.* |
| | Section one. | |
| | Section two, to "Paymaster General" where those words first occur. | |
| | The words "And be it enacted, that" in sections three, five, and nine. | |
| | Section four, to "enacted that," the words "said Commissioners of Her Majesty's," and "the Governor and Company of." | |
| | Section five, the words "Commissioners of Her Majesty's." | |
| | Section six, to "Company of" where those words first occur, and the words "said Governor and Company of the." | |
| | Section seven, to "enacted that," and the words "Governor and Company of the." | |
| | Section eight, to "this Act," and from "standing in" to "Anderson." | |
| 11 & 12 Vict. c. 68. | An Act for extending to Ireland an Act passed in the last Session of Parliament, intituled "An Act for better "securing Trust Funds, and for the "Relief of Trustees." | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "Governor and Company of the" in sections one and three. | |
| | The words "And be it enacted, that" wherever they occur. | |
| 11 & 12 Vict. c. 69. | An Act the title of which begins with the words "An Act to repeal" and ends with the words "respect of Robbery." | |
| | In part; namely— | |
| | Title from "and to repeal" to end of title. | *Unnecessary.* |
| | Preamble. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 69. —*cont.* | The words "And be it enacted, that" in sections two and five.<br>Section two, the words "after the passing of this Act." | |
| 11 & 12 Vict. c. 72. | An Act to amend the Acts relating to the Constabulary Force in Ireland, and to amend the Provisions for the Payment of Special Constables.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted, that" in sections five, fourteen, and fifteen.<br>Section three, to "and Ireland," from "or other" to "of Ireland," and from "after" to "forty-eight."<br>Section five, from "or other" to "of Ireland."<br>Session six, the words "or other chief governor or governors" twice occurring.<br>Section eight, from "or other" to "of Ireland."<br>Section nine, to "this Act."<br>Section ten, to "passing of this Act," and the words "or other chief governor or governors of Ireland," wherever they occur.<br>Section eleven, the words "from and after the passing of this Act."<br>Section twelve, the words "the Lords of," the words "Commissioners of Her Majesty's" where they first and thirdly occur, the words "or any three of them," and "the Governor and Company of." | *Spent or unnecessary.* |
| 11 & 12 Vict. c. 74. | An Act to authorize the Lords of Council and Session to regulate the Rates or Dues of Registration to be charged by the Keepers of the Registers of Sasines, Reversions, &c. in Scotland.<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>Section two, to "enacted, that." | *Unnecessary.* |
| 11 & 12 Vict. c. 78. | An Act for the further Amendment of the Administration of the Criminal Law.<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>The words "And be it enacted, that," wherever they occur.<br>Section three, to "convenient place; and." | *Part of s. 3 in col. 2, which is rep. as to F., by S. L. R. A., 1875. virt. rep. as to I., 40 & 41 Vict. c. 57. s. 50. Rest unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 79. | An Act to facilitate and simplify Procedure in the Court of Justiciary in Scotland. | |
| | In part; namely,— | |
| | Preamble. | *Sects.* 1, 2, 6 *and* 9 *superseded* 50 & 51 *Vict. c.* 35. |
| | The words "And be it enacted, that" wherever they occur. | |
| | Sections one and two. | *Rest unnecessary.* |
| | Section three, the words "criminal letters." | |
| | Section six. | |
| | Section seven, to "enacted, that." | |
| | Section nine. | |
| | Section ten, to "declared, that." | |
| 11 & 12 Vict. c. 80. | An Act the title of which begins with the words "An Act to empower" and ends with the words "in Ireland." | |
| | In part; namely,— | |
| | Title from "and also to empower" to the end of title. | *Unnecessary.* |
| | Preamble and section one, to "of this Act." | |
| 11 & 12 Vict. c. 82. | An Act to amend the Law for the Formation of Districts for the Education of Infant Poor. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Part of title of* 5 & 6 *Vict. c.* 57, *in col.* 2 *is rep. S.L.R.A.*, 1888 (*No.* 2). |
| | Section two, to "enacted, that," and from "to continue" to "Commission; and." | |
| | Section three, to "enacted, that." | |
| 11 & 12 Vict. c. 83. | An Act to confirm the Awards of Assessionable Manors Commissioners, and for other Purposes relating to the Duchies of Cornwall and Lancaster. | |
| | In part; namely,— | |
| | Section seven, the words "commenced after the passing of this Act." | *Unnecessary, and as to s.* 15, *see savings in Bill.* |
| | Section eight, to "enacted, that." | |
| | Section nine, to "enacted, that." | |
| | Section ten, to "enacted, that." | |
| | Section eleven, to "or otherwise" and the word "said" before "prothonotary." | |
| | Section twelve, to "enacted, that." | |
| | Section thirteen, to "declared, that." | |
| | Section fifteen. | |
| 11 & 12 Vict. c. 87. | An Act the title of which begins with the words "An Act to extend" and ends with the words "Real Estate." | |
| | In part; namely,— | |
| | Preamble and section one, to "of the same," and the word "that" before "the said." | *Unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 88. | An Act for further regulating the Money Order Department of the Post Office.<br>In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section two, the words "Commissioners of Her Majesty's." | |
| | Section five, to "enacted, that." | |
| | Section six, to "Treasury . . . and that" and the words "Commissioners of Her Majesty's" where they next occur, and from "either under" to "Treasury . . . or." | |
| 11 & 12 Vict. c. 89. | An Act the title of which begins with the words "An Act to continue" and ends with the words "Oaths in Ireland." | *Expired.* [*Last continued to* 1 *June* 1880 *by* 38 *&* 39 *Vict. c.* 14. *s.* 4.] |
| 11 & 12 Vict. c. 90. | An Act to regulate the Times of Payment of Rates and Taxes by Parliamentary Electors.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| 11 & 12 Vict. c. 91. | An Act to make Provision for the Payment of Parish Debts, the Audit of Parochial and Union Accounts, and the Allowance of certain Charges therein.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | Section two, the words "and be it enacted." | |
| | The words "And be it enacted, that" wherever they occur except in section two. | |
| | Section five, to "enacted, that." | |
| 11 & 12 Vict. c. 92. | An Act for the Protection and Improvement of the Salmon, Trout, and other Inland Fisheries of Ireland.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur except in section thirty-seven. | |
| | Section eight, to "forty-nine," the words "the said year or" and "subsequent." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 92. —*cont.* | Section thirteen, the words "after the "year one thousand eight hundred "and forty-nine" twice occurring. | |
| | Section nineteen, from "in the year" to "forty-nine, and" and the word "subsequent." | |
| | Section twenty-three, the words "after the passing of this Act." | |
| | Section thirty-seven, the words "and be it enacted." | |
| | Section thirty-nine, to "enacted, that." | |
| | Section forty-two, to "enacted, that." | |
| 11 & 12 Vict. c. 99. | An Act to further extend the Provisions of the Act for the Inclosure and Improvement of Commons. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that" and the word "that" before "where." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section thirteen, to "enacted, that." | |
| 11 & 12 Vict. c. 101. | An Act to provide for the Expenses of erecting and maintaining Lock-up Houses on the Borders of Counties. | |
| | In part; namely,— | |
| | The words "And be it enacted, that" wherever they occur. | *Unnecessary.* |
| 11 & 12 Vict. c. 102. | An Act the title of which begins with the words "An Act to enlarge" and ends with the words "Her Majesty's Woods." | |
| | In part; namely,— | |
| | Section seven, the words "and be it enacted." | *Unnecessary.* |
| | Section eight, to "therefore enacted, that" and the word "that" before "in each." | |
| | The words "And be it enacted, that" wherever they occur, the words "Her Majesty's" wherever they occur before "Woods," the words "Forests, "Land Revenues, Works, and Build-"ings" wherever they occur, the words "Lord High Treasurer or the Commissioners of Her Majesty's" wherever they occur, the word "said" occurring before the words so repealed, and the words "for the time being" wherever they occur. | |
| | Section nine, the words "after the passing of this Act," from "by writing" to "or hands," the words "he or," and from "said Lord" to next following "Majesty's." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 104. | An Act for amending the Act regulating the Prison at Millbank.<br>In part; namely,—<br>Preamble.<br>Section one to "same, . . . . that" the words "persons so appointed," "as the case may be," and "from "and after the appointment of such "visitors as aforesaid." | *Spent or unnecessary.* [*See note to 6 & 7 Vict. c. 26.*] |
| 11 & 12 Vict. c. 110. | An Act to alter the Provisions relating to the Charges for the Relief of the Poor in Unions.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted, that" wherever they occur.<br>Section two, the word "such" where first occurring before "union." | *Unnecessary.* |
| 11 & 12 Vict. c. 111. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of the Poor."<br>In part; namely,—<br>Preamble, and to "same, that." | *Unnecessary.* |
| 11 & 12 Vict. c. 113. | An Act for the further Amendment of the Acts relating to the Dublin police.<br>In part; namely,—<br>Preamble.<br>Section one, to "passing of this Act" and from "or other" to "of Ireland." | *Unnecessary.* |
| 11 & 12 Vict. c. 118. | An Act the title of which begins with the words "An Act to explain" and ends with the words "United Kingdom."<br>In part; namely,—<br>Title from "the Law as to" to "Ireland, and."<br>Preamble.<br>Section two, to "thereto, and," from "for and in respect" where those words next occur to "same, and," and from "and all duties" where those words next occur, to "Commissioners of Stamps" where those words next occur.<br>Section three, to "Be it enacted, that," the words "Commissioners of Excise or," where those words secondly occur, and the word "respectively." | *Part of title in col. 2, and preamble apply only to repealed section.*<br>*As to parts of s. 2 in col. 2, works out repeals made by S.L.R. Act, 1875.*<br>*As to Com. of Excise in s. 3, virt. rep. 53 & 54 Vict. c. 21. s. 21.* |
| 11 & 12 Vict. c. 119. | An Act to simplify the Forms of Certificates under the Act authorizing the Advance of Money for the Improvement of Land by Drainage in Great Britain. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 119. —*cont.* | In part; namely,— | |
| | Preamble and to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two and four. | |
| | Section two, the words "Commissioners of her Majesty's." | |
| | Section three, the words "and be it enacted." | |
| 11 & 12 Vict. c. 120. | An Act to facilitate the Transfer of Landed Property in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "this Act." | |
| | The words "And be it enacted, that," "Commissioners of Her Majesty's," the word "said" before those words, the words "for the time being" and "or any three of them" wherever they respectively occur. | |
| | Section three, the word "that" before "the said." | |
| | The words "under their hands" in sections seven and nine. | |
| | Section seven, to "enacted that." | |
| | Section nine, the word "that" before "it shall." | |
| | Section ten, to "therefore enacted that." | |
| | Section eleven, to "this Act." | |
| | Section twelve, to "this Act." | |
| | Section thirteen, to "enacted, that" and the word "so" before "filed." | |
| | Section fourteen, the words "after the passing of this Act." | |
| 11 & 12 Vict. c. 121. | An Act the title of which begins with the words "An Act to alter" and ends with the words "Laws of Excise." | |
| | In part; namely,— | |
| | Title, from "and respecting the Distribution" to the end of the title. | *Part of title in col. 2 unnecessary having regard to repeal of s. 28; rest unnecessary.* |
| | Section nine, to "this Act." | |
| | The words "And be it enacted, that" wherever they occur. | |
| 11 & 12 Vict. c. 122. | An Act the title of which begins with the words "An Act to amend" and ends with the words "Customs Warehouse." | |
| | In part; namely,— | |
| | Title, from "the Warehousing" to "Mixtures, and." | *Part of title in col. 2 refers only to repealed sections.* |
| 11 & 12 Vict. c. 130. | An Act the title of which begins with the words "An Act for guaranteeing" and ends with the words "certain Purposes." | *Spent. Loans under this Act to the full extent of* 500,000*l. were raised and guaranteed* (*See Parl. Return No.* 219 *of* 1870). *These loans have now been repaid.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 132. | An Act for the Appointment of additional Taxing Masters for the High Court of Chancery in Ireland, and to regulate the Appointment of the Principal Assistants to the Masters in the Superior Courts of Law in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Parts of s. 1 in col. 2 sup. 40 & 41 Vict. c. 57. s. 72 and 30 & 31 Vict. c. 129. s. 26.* |
| | Section one, to "of this Act," and from "and the business" to the end of the section. | |
| | Section two, to "masters, and that," the word "that" before "as often," and from "Provided always" to the end of the section. | *Part of s. 2 in col. 2 spent, and as to proviso virt. rep. 30 & 31 Vict. c. 129. s. 26.* |
| | Section three. | |
| | Section four, to "enacted, that," and the words "Commissioners of Her Majesty's." | *S. 3 in part virt. rep. 30 & 31 Vict. c. 129. s. 25, in part virt. rep. 40 & 41 Vict. c. 57. s. 73.* |
| | Sections five and six. | |
| | Section seven, to "enacted, that." | |
| | Section eight. | *Ss. 5, 6, virt. rep. or sup. 40 & 41 Vict. c. 57. s. 76.* |
| | | *Sect. 8 virt. rep. 30 & 31 Vict. c. 129. s. 35, and see 40 & 41 Vict. c. 57. s. 73.* |
| | | *Rest unnecessary.* |
| 12 & 13 Vict. c. 4. | An Act to amend the Law relating to the Appointment of Vice Guardians of Unions in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section three, to "enacted, that." | |
| 12 & 13 Vict. c. 6. | An Act to repeal an Act of the Twenty-first Year of George the Second, for holding the Summer Assizes at Buckingham; and to authorize the Appointment of a more convenient Place for holding the same. | *Spent.* |
| 12 & 13 Vict. c. 8. | An Act to remove Doubts as to the Appointment of Overseers in Cities and Boroughs. | |
| | In part: namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | Section four, to "enacted, that." | |
| 12 & 13 Vict. c. 13. | An Act to provide a more effectual Regulation and Control over the Maintenance of poor Persons in Houses not being the Workhouses of any Union or Parish. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 13. —*cont.* | The words "And be it enacted, that" wherever they occur except in section two.<br>Section two, the words "and be it enacted." | |
| 12 & 13 Vict. c. 14. | An Act to enable Overseers of the Poor and Surveyors of the Highways to recover the Costs of distraining for Rates.<br>In part; namely,—<br>Preamble and section one to "same, that."<br>Section two, to "therefore enacted that."<br>The words "And be it enacted that" wherever they occur.<br>Section eight, to "enacted, that." | *Unnecessary.* |
| 12 & 13 Vict. c. 16. | An Act to protect Justices of the Peace in Ireland from vexatious Actions for Acts done by them in the Execution of their Office.<br>In part; namely,—<br>Preamble and section one to "same, that."<br>The words "And be it enacted, that" wherever they occur.<br>Section four, the word "that" before "in all cases."<br>Section five, to "enacted, that." | *Unnecessary.* |
| 12 & 13 Vict. c. 18. | An Act for the holding of Petty Sessions of the Peace in Boroughs, and for providing Places for the holding of such Petty Sessions in Counties and Boroughs.<br>In part; namely,—<br>Section two, to "enacted, that."<br>Section three, the words "and be it enacted." | *Unnecessary.* |
| 12 & 13 Vict. c. 25. | An Act for giving effect to the Stipulations of a Treaty between Her Majesty and the Queen of Portugal for the Apprehension of certain Deserters.<br>In part; namely,—<br>Preamble and section one to "same, that."<br>The words, "And be it enacted, that" wherever they occur. | *Unnecessary.* |
| 12 & 13 Vict. c. 26. | An Act for granting Relief against Defects in Leases made under Powers of Leasing, in certain Cases.<br>In part; namely,—<br>Preamble and section one to "same, that."<br>The words "And be it enacted, that" wherever they occur, except in section six.<br>Section two, the word "such" where it first occurs before "power," and the words "as aforesaid."<br>Section six, the words "and be it enacted." | *Unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 27. | An Act to remove Doubts concerning the Transportation of Offenders under Judgment of Death to whom Mercy may be extended in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one to "same, that," the words "or other Chief Governor or Governors of Ireland for the time being" twice occurring, and "or other Chief Governor or Governors." | |
| | Section two, to "enacted, that." | |
| 12 & 13 Vict. c. 31. | An Act for requiring the Transmission of the annual Abstracts and Statements of Trustees of Turnpike Roads and Bridges in Scotland to the Secretary of State, to be laid before Parliament. | *Spent and superseded,* 41 & 42 *Vict. c.* 51. *s.* 121. |
| 12 & 13 Vict. c. 34. | An Act to amend an Act regulating the Justice of the Peace Small Debt Courts in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two to four. | |
| | Section two, from "either" to "this Act." | |
| 12 & 13 Vict. c. 45. | An Act to amend the Procedure in Courts of General and Quarter Sessions of the Peace in England and Wales, and for the better Advancement of Justice in Cases within the Jurisdiction of those Courts. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Parts of ss.* 12, 13 *and s.* 15 *sup. or virt. rep. Arbitr. Act,* 1889. |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section three, to "enacted, that." | |
| | Section six, the words "be it enacted, that." | *Rest unnecessary.* |
| | Section seven, to "enacted, that." | |
| | Section eight, to "enacted that." | |
| | Section twelve, to "enacted that" and from "and to agree" to "therein provided for." | |
| | Section thirteen, from "and such order" to "of either party," and from "Provided always" to the end of the section. | |
| | Section fifteen. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 48. | An Act to provide for the Administration of Justice in Vancouver's Island. | |
| | In part; namely,— | |
| | Preamble. | *Preamble leads up to repeal in s.* 1. |
| | Section one, to "Island aforesaid; and," and the words "and as well before as "after such proclamation." | *S.* 2 *virt. rep.* 29 *&* 30 *Vict. c.* 67. |
| | Section two. | *Rest unnecessary.* |
| | Section three, the words "and be it enacted." | |
| | Section four, to "enacted, that." | |
| | Repealed as to all Her Majesty's dominions. | |
| 12 & 13 Vict. c. 49. | An Act to extend and explain the Provisions of the Acts for the granting of Sites for Schools. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two, six, and seven. | |
| | Section three, to "enacted that." | |
| | Section four, to "enacted that," the word "such" before "absolute," and the words "as aforesaid." | |
| 12 & 13 Vict. c. 50. | An Act for further amending the Laws relating to Sewers. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 12 & 13 Vict. c. 51. | An Act for the better Protection of the Property of Pupils, absent Persons, and Persons under Mental Incapacity in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *S.* 39 *virt. rep.* 52 *&* 53 *Vict. c.* 39. *s.* 16. |
| | The words "And be it enacted, that" wherever they occur. | *Rest spent or unnecessary.* |
| | Section twenty-two, to "enacted," and the word "that" before "if no." | |
| | Section twenty-three, to "enacted" and the word "that" before "any settlement." | |
| | Section twenty-four, to "enacted, that," from "Commissioners" to "Majesty's" and the words "or any three or more of them." | |
| | Section twenty-six, to "this Act." | |
| | Section thirty-seven, to "this Act." | |
| | Section thirty-nine. | |
| 12 & 13 Vict. c. 53. | An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section two, to "this Act," and the word "that" before "it shall be lawful for such." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 53. —*cont.* | The words "And be it enacted, that" in sections three to nine. | |
| | Section eight, the word "that" before "upon the." | |
| 12 & 13 Vict. c. 59. | An Act to amend an Act of the Tenth Year of Her Majesty, for facilitating the Improvement of Landed Property in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," and the words "Commissioners of her Majesty's." | |
| | The words "And be it enacted, that" wherever they occur. | |
| 12 & 13 Vict. c. 64. | An Act the title of which begins with the words "An Act to remove," and ends with the words "and Boroughs." | |
| | In part; namely,— | |
| | Preamble, and to "same, that." | *Unnecessary.* |
| 12 & 13 Vict. c. 66. | An Act for enabling Colonial Legislatures to establish Inland Posts. | |
| | In part; namely,— | |
| | Preamble, and to "same, that." | *S. 5 in part spent (no such Act passed); in part superseded by Colonial Acts passed under powers of 31 & 32 Vict. c. 92. Rest unnecessary.* |
| | The words "and be it enacted" in sections two and four. | |
| | The words "And be it enacted, that" in sections three and six. | |
| | Section five. | |
| | The words "Commissioners of Her Majesty's" in section four. | |
| | Repealed as to all Her Majesty's dominions. | |
| 12 & 13 Vict. c. 67. | An Act to extend the Remedies of Sequestrators of Ecclesiastical Benefices. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "passing of this Act," and the words "then have been or who shall thereafter." | |
| | Section two, to "enacted, that," and the word "that" before "such sequestrator." | |
| 12 & 13 Vict. c. 68. | An Act for facilitating the Marriage of British Subjects resident in Foreign Countries. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," and the words "from and after the passing of this Act." | |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section nine, the words "United" and "and Ireland" respectively occurring twice. | |
| | Section eighteen, the word "that" wherever it occurs. | |
| | Section twenty-one to "enacted that." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 69. | An Act to facilitate the Performance of the Duties of Justices of the Peace out of Quarter Sessions in Ireland with respect to Persons charged with Indictable Offences. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *S.* 23 *and Schedule as to parts in col.* 2 *virt. rep.* 14 *&* 15 *Vict. c.* 100. *s.* 27. |
| | The words "And be it enacted, that" and "And be it declared and enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *S.* 30, *as to part in col.* 2 *falls with repeal of Acts referred to.* |
| | Section seven, to "this Act." | *Ss.* 32, 34, 35 *spent.* |
| | Section twenty-two to "enacted, that." | *Rest unnecessary.* |
| | Section twenty-three, the words "or "other chief governor or governors of Ireland," and "or their," and from "Provided also" to the end of the section. | |
| | Section thirty, from "the provisions of an Act" to "the same, or." | |
| | Sections thirty-two, thirty-four, and thirty-five. | |
| | Schedule (S. 1.) Form of condition of Recognizance of Bail where the Defendant is entitled to a Traverse. | |
| 12 & 13 Vict. c. 72. | An Act further to amend the Acts relating to the Offices of the House of Commons. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that" and the words "Governor and Company of the." | |
| | Section five, the words "Commissioners of her Majesty's." | |
| | Section six, to "enacted, that." | |
| 12 & 13 Vict. c. 74. | An Act for the further relief of Trustees. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," and the words "Governor and Company of the." | *See Interp. Act, s.* 12. |
| 12 & 13 Vict. c. 76. | An Act to protect Women from fraudulent Practices for procuring their Defilement. | *Rep. exc. as to Scotland* 24 *&* 25 *Vict. c.* 95, *the substituted provision as to E. & I. being* 24 *&* 25 *Vict. c.* 100. *s.* 49. *The last-mentioned sect. is rep. by* 48 *&* 49 *Vict. c.* 69, *which extends to Scotland and supersedes this Act.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 78. | An Act for the more effectual Taxation of Costs on Private Bills in the House of Lords, and to facilitate the Taxation of other Costs on Private Bills in certain Cases. | |
| | In part; namely,— | |
| | Preamble. | *Preamble unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 12 & 13 Vict. c. 82. | An Act to relieve Boroughs, in certain Cases, from Contribution to certain Descriptions of County Expenditure. | *S.* 2 *sup. L. G. Act,* 1888. *Ss.* 4 *and* 5 *fall with s.* 2. *Rest already repealed.* |
| 12 & 13 Vict. c. 83. | An Act further to facilitate the Inclosure of Commons, and the Improvement of Commons and other Lands. | |
| | In part; namely,— | |
| | Preamble, and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 12 & 13 Vict. c. 89. | An Act to reduce the Number of Signatures required to Instruments issued by the Lords of the Treasury. | |
| | In part; namely,— | |
| | From "Be it enacted," to "same, that." | *Unnecessary.* |
| 12 & 13 Vict. c. 91. | An Act to provide for the Collection of Rates in the City of Dublin. | |
| | In part; namely,— | |
| | Preamble and section one, from "May it therefore" to "and fifty." | *Ss.* 57–59 *spent.* *As to s.* 92, *see Savings in Bill.* |
| | The words "And be it enacted, that" wherever they occur except in sections twenty-one, sixty-five and seventy-six, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest unnecessary.* |
| | The words "and be it enacted" in sections twenty-one, sixty-five and seventy-six. | |
| | Section three, the words "the Governor and Company of." | |
| | Section eight, from "the Bank of the" to "Company of." | |
| | Section ten, the words "the said Governor and Company of" twice occurring. | |
| | Section eleven, the words "said Governor and Company of" twice occurring, and the word "said" before "Bank." | |
| | Section fourteen, the words "the said Governor and Company of." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 91. — *cont.* | Section twenty-eight, the words "the Governor and Company of." | |
| | Section thirty-five, to "enacted, that" from "on or before" where those words secondly occur, to "fifty-one, and" where those words lastly occur, and the word "succeeding." | |
| | Section thirty-six, to "fifty." | |
| | Section thirty-eight, to "last past; and" from "on or before" to "fifty-one, and," and the word "succeeding." | |
| | Section forty, to "into a law." | |
| | Section forty-one, to "enacted, that," and the words "the Governor and Company of." | |
| | Section forty-four, to "and fifty." | |
| | Section forty-five, to "enacted, that." | |
| | Sections fifty-seven to fifty-nine. | |
| | Section eighty-nine, from "The words Lord Lieutenant" to "of Ireland." | |
| | Section ninety-two. | |
| 12 & 13 Vict. c. 92. | An Act for the more effectual Prevention of Cruelty to Animals. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section two, the words "from and after the passing of this Act." | |
| | Section seven, to "be it enacted, that." | |
| | Section twenty-one, the word "that" before "every sum." | |
| 12 & 13 Vict. c. 95. | An Act to amend the Law concerning Judgments in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Ss.* 7, 10, *as to part in col.* 2, *virt. rep.* 13 *&* 14 *Vict. c.* 51. |
| | The words "And be it enacted, that" wherever they occur, except in section six, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest unnecessary.* |
| | Section two, to "this Act" where those words first occur, and from "save only" to "passing of this Act." | |
| | Section six, the words "and be it enacted." | |
| | Section seven, the words "and of the "Court of Exchequer at the equity "side thereof." | |
| | Section ten, the words "or to the Court "of Exchequer at the equity side "thereof." | |
| 12 & 13 Vict. c. 96. | An Act to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Sect.* 2 *virt. rep.* 37 & 38 *Vict. c.* 27. |
| | Section two. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 96. —*cont.* | Section three, to "enacted, that" and the word "that" before "if any." | *s.* 3: *and see* 44 & 45 *Vict. c.* 69. *s.* 23, 47 & 48 *Vict. c.* 31. *s.* 9. |
| | Section four, to "enacted that." | |
| | Section five, to "enacted, that." | |
| | Repealed as to all Her Majesty's dominions. | *Rest unnecessary.* |
| 12 & 13 Vict. c. 99. | An Act the title of which begins with the words "An Act to encourage" and ends with the words "such Marriages." | *S.* 7, *which alone remains, is obsolete since I. Church Act.* |
| 12 & 13 Vict. c. 103. | An Act to continue an Act of the last Session of Parliament, for charging the Maintenance of certain poor Persons in Unions upon the Common Fund; and to make certain Amendments in the Laws for the Relief of the Poor. | |
| | In part; namely,— | |
| | Title from "to continue" to "and." | *Part of title in col.* 2 *refers to s.* 1, *which is repealed: rest unnecessary.* |
| | Preamble. | |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section nine, to "and enacted, that," and the word "that" before "no auditor." | |
| | Section twelve, to "therefore enacted that." | |
| | Section fifteen, to "enacted that." | |
| 12 & 13 Vict. c. 104. | An Act to amend the Acts for the more effectual Relief of the destitute Poor in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | Section two, to "passing of this Act." | |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section seven, to "of this Act." | |
| | The words "after the passing of this Act" in sections ten and eleven. | |
| | Section fourteen, to "this Act." | |
| | Section seventeen, to "enacted, that," the words "from and after the passing of this Act," and the word "that" before "upon the" and before "immediately." | |
| | Section nineteen, the words "after the passing of this Act." | |
| | Section twenty, to "enacted, that." | |
| | Section twenty-three, to "therefore enacted that." | |
| | Section twenty-six, the words "Commissioners of Her Majesty's." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 105. | An Act for converting the renewable Leasehold Tenure of Lands in Ireland into a Tenure in Fee. | |
| | In part; namely,— | |
| | Preamble and section one to "same that." | *Unnecessary.* |
| | The words "at any time after the passing of this Act" twice occurring in section one. | |
| | The words "And be it enacted, that" wherever they occur except in sections four, five, and thirteen. | |
| | The words "and be it enacted" in sections four, five, and thirteen. | |
| | The words "or remembrancer" wherever they occur in sections twenty-three to thirty-one. | |
| | Section twenty-two, the words "or Court "of Exchequer in Ireland on the "equity side thereof." | |
| | Section twenty-eight, the words "or to "the Court of Exchequer at the equity "side thereof." | |
| | Section thirty-eight, from "or the Court" to "may be" and from "and the word remembrancer" to the end of the section. | |
| 12 & 13 Vict. c. 109. | An Act, the title of which begins with the words "An Act to amend" and ends with the words "said Court." | *Ss.* 1–5, 9, 10, 22, *rep.* 37 & 38 *Vict. c.* 81. *s.* 12. |
| | In part; namely,— | |
| | Preamble. | *Ss.* 6–8, 21, 23, *rep.* 32 & 33 *Vict. c.* 91. *s.* 34. |
| | The words "And be it enacted that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Ss.* 11 *to* 14, *and* 17 *to* 20, *obsolete, see now Order LXI.* |
| | Sections one to twenty-six. | *Sect.* 28 *obsolete.* |
| | Section twenty-eight. | *Sects.* 32, 33 *superseded by Orders* 33 *and* 34. |
| | Section twenty-nine, the words "hereafter to be commenced." | *Sect.* 38 *unnecessary since Petty Bag Office assigned to Crown Office.* |
| | Sections thirty-two to forty-four. | |
| | Sections forty-six to fifty. | *Sect.* 40 *superseded* 38 & 39 *Vict. c.* 8. *s.* 10. |
| | | *Sect.* 50 *falls with repeal of previous sections.* |
| | | *Rest unnecessary.* |
| 12 & 13 Vict. c. 110. | An Act the title of which begins with the words "An Act for suspending" and ends with the words "certain Cases." | |
| | In part; namely,— | |
| | Preamble and to "same that." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 4. | An Act for requiring the Transmission of annual Abstracts of Accounts and Statements of Trustees or Commissioners of Turnpike Roads and Bridges in Ireland to the Lord Lieutenant, to be laid before Parliament. | |
| | In part; namely,— | |
| | Title, the words "Turnpike Roads and." | *As to turnpikes, carries out repeal by S.L.R.A.* 1875. |
| | Preamble and section one to "same, that." | |
| | The words "turnpike road or" "road or" "And be it enacted, that," "or "other Chief Governor or Governors "of Ireland" wherever they occur. | *Rest unnecessary.* |
| | Section two, the words "respective turnpike road and," from "on or before" to "in like manner," and "for the time being the like." | |
| | Section three, the words "roads and" and "turnpike and." | |
| 13 & 14 Vict. c. 7. | An Act for consolidating the Office of the Registrar of Metropolitan Public Carriages with the Office of Commissioners of Police of the Metropolis, and making other Provisions in regard to the consolidated Offices. | |
| | In part; namely,— | |
| | Preamble. | *S.* 3 *spent.* |
| | The words "And be it enacted, that" in sections two, four, seven, and eight. | *Rest unnecessary.* |
| | Section three. | |
| | Section five, to "enacted, that." | |
| | Section six, the words "and be it enacted." | |
| | Section eight, the word "that" before "all the." | |
| 13 & 14 Vict. c. 17. | An Act to amend an Act of the last Session of Parliament, for granting Relief against Defects in Leases made under Powers of Leasing. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two and three. | |
| 13 & 14 Vict. c. 18. | An Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland. | |
| | In part; namely,— | |
| | Preamble. | [*Except the sections hereunder referred to, the ss. mentioned in col.* 2 *are rep.* 16 & 17 *Vict. c.* 113. *s.* 3, *and* 38 & 39 *Vict. c.* 66. (*S.L.R.*)]. |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Sections one to twelve. | |
| | Sections fifteen to forty-one. | *S.* 4 *falls with repeal of* 3 & 4 *Vict. c.* 105. *ss.* 1–5 *by S.L.R.A.* 1888 (*No.* 2). |
| | Section forty-two, from "and that when" to the end of the section. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 18. —*cont.* | Section forty-three, to "this Act" where those words first occur. | *S.* 25 *superseded* 40 & 41 *Vict. c.* 57. *s.* 61. |
| | Section forty-four, to "this Act." | *Ss.* 27, 30, *under Jud. Act, superseded Orders LIV. and LXIII. Manor courts abolished by* 22 *Vict. c.* 14. *s.* 1. |
| | Sections forty-six to fifty. | |
| | Section fifty-one, from "and that the words recorder" to "as the case may be." | |
| | | *Ss.* 31–33 *virt. rep.* 40 & 41 *Vict. c.* 57. *ss.* 72–73. |
| | | *S.* 34 *obsolete.* |
| | | *Ss.* 36, 37 *spent, or virt. rep.* 40 & 41 *Vict. c.* 57. *ss.* 72, 73. |
| | | *S.* 40, *superseded J.A.* 1877, *ss.* 37, 72, *Orders IV.* 2, (1) *and Schedule, Rules* 2, 7, *Order of Dec.* 1879. |
| | | *S.* 41 *superseded J.A.* 1877, *Order LVI., Rule* 22. |
| | | *S.* 42, *as to part in col.* 2, *superseded by* 16 & 17 *Vict. c.* 113. *s.* 124. |
| | | *Ss.* 46–48 *spent.* |
| | | *Part of s.* 51 *in col.* 2 *falls with repealed sections.* |
| | | *Rest unnecessary.* |
| 13 & 14 Vict. c. 20. | An Act o amend an Act of the Fifth and Sixth Years of Her present Majesty, for the Appointment and Payment of Parish Constables. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | Section seven, to "enacted, that," and the word "that" before "nothing herein-before." | |
| | Section eight, to "enacted that." | |
| 13 & 14 Vict. c. 26. | An Act to repeal an Act of the Sixth Year of King George the Fourth, for encouraging the Capture or Destruction of Piratical Ships and Vessels; and to make other Provisions in lieu thereof. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 26. —*cont.* | Section three, the words "said Lords Commissioners of the," occurring twice. | |
| | Section five, the words "her heirs and successors." | |
| 13 & 14 Vict. c. 28. | An Act to render more simple and effectual the Titles by which Congregations or Societies for Purposes of Religious Worship or Education in England and Ireland hold Property for such Purposes. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 13 & 14 Vict. c. 29. | An Act to amend the Laws concerning Judgments in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *As to* 5 *&* 6 *Will.* 4. *c.* 55. *the part of s.* 31 *recited is rep. S.L.R.A.* 1874. |
| | Section one, to "same, that" and the words "the sixth year of King William the Fourth and." | |
| | The words "And be it enacted, that" wherever they occur except in section ten. | *Rest unnecessary.* |
| | Section ten, the words "and be it enacted." | |
| | Section twelve, to "enacted, that." | |
| 13 & 14 Vict. c. 31. | An Act to authorize further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances. | |
| | In part; namely,— | |
| | Preamble. | *S.* 1 *spent.* |
| | Section one. | *Rest unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section five, to "repealed and" and the word "such" before "application." | |
| | Section eight, the words "or this Act." | |
| 13 & 14 Vict. c. 36. | An Act to facilitate Procedure in the Court of Session in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one to "same that." | *Ss.* 24 *and* 55 *and part of s.* 37 *spent.* |
| | The words "And be it enacted, that" wherever they occur. | *Rest unnecessary.* |
| | Section sixteen, to "declared, that." | |
| | Section twenty-four. | |
| | Section thirty-seven, to "in future." | |
| | Section forty-eight, to "enacted, that." | |
| | Section fifty, to "enacted, that." | |
| | Section fifty-four, the words "from and after the passing of this Act." | |
| | Section fifty-five. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 37. | An Act for the further Extension of Summary Jurisdiction in Cases of Larceny. | |
| | In part; namely,— | |
| | Preamble. | *As to preamble gives effect to repeal by* 42 & 43 *Vict. c.* 49. *s.* 55. |
| | Section one, to "same, that," from "subsequently" to "this Act," and the word "that" before "the provisions." | |
| | The words "And be it enacted, that" in sections two and three. | *Rest unnecessary.* |
| 13 & 14 Vict. c. 39. | An Act for the better Government of Convict Prisons. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," and the word "said" before "prisons." | |
| | Section two, to "enacted, that." | |
| | Section four, the words "from and after the passing of this Act." | |
| 13 & 14 Vict. c. 43. | An Act to amend the Practice and Proceedings of the Court of Chancery of the County Palatine of Lancaster. | |
| | In part; namely,— | |
| | Section one, the words "from and after the passing of this Act," from "with the advice" to "having such custody," and the words "with such advice and consent as aforesaid" where they twice occur. | *As to s.* 1, *carries out rep. by S.L.R.A.* 1875. *Ss.* 22, 23, 28, *and* 37, *and s.* 27 *as to part in col.* 2, *spent.* |
| | The words "And be it enacted; that" wherever they occur except in sections two, three, eighteen and thirty-four, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest unnecessary.* |
| | The words "and be it enacted" in sections two, three, eighteen and thirty-four. | |
| | Section sixteen, to "this Act." | |
| | Section nineteen, from "or for any" to "Chancery." | |
| | Sections twenty-two and twenty-three. | |
| | Section twenty-four, to "and enacted that." | |
| | Section twenty-seven, from "and further that until" to the end of the section. | |
| | Section twenty-eight. | |
| | Section thirty-seven. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 51. | An Act for the transfer of the equitable jurisdiction of the Court of Exchequer to the Court of Chancery in Ireland. | |
| | In part; namely,— | |
| | The whole Act, except sections eight, thirteen, and thirty-one. | *S.* 1 *virt. rep. Jud. Act*, 1877. |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *S.* 8 (*as to part in col.* 2) *and s.* 11 *sup. Jud. Act*, 1877. |
| | | *Ss.* 12, 14 *spent.* |
| | Section eight, the words "on or after the "said first day of August one thousand "eight hundred and fifty," twice occurring, and from "and the orders" to the end of the section. | *Ss.* 16, 17, 19 *virt. rep. J. Act*, 1877, *s.* 73, *and see* 30 & 31 *Vict. c.* 44. *s.* 27. |
| | Section thirteen, the words "except as aforesaid," and "Commissioners of Her Majesty's" where they respectively twice occur. | *S.* 20 *partly spent, and as to residue, see* 13 & 14 *Vict. c.* 114, *virtually repealing* 1 & 2 *Geo.* 4. *c.* 112, *which is expressly repealed S.L.R.A.*, 1873. |
| | Section thirty-one from "the expression" where first occurring to "Majesty: and." | *S.* 21, *as to Equity Exchequer business, superseded by J.A.*, 1877, *s.* 72, *as to audit of sheriffs' accounts, obsolete since passing of* 14 & 15 *Vict. c.* 90. *s.* 3, *and* 41 & 42 *Vict. c.* 69. *s.* 8. |
| | | *S.* 23 *virt. rep.* 30 & 31 *Vict. c.* 44. *s.* 50, *and Jud. Act*, 1877, *s.* 75. |
| | | *S.* 29 *spent.* |
| | | *S.* 30 *superseded Jud. Act*, 1877, *ss.* 72, 73. |
| | | *Rest already repealed or unnecessary.* |
| 13 & 14 Vict. c 57. | An Act to prevent the holding of Vestry or other Meetings in Churches, and for regulating the Appointment of Vestry Clerks. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same that," and the words "after the passing of this Act." | |
| | The words "And be it enacted, that" wherever they occur. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 59. | An Act for the better Government of Her Majesty's Australian Colonies. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Ss.* 7–10, *sup. or virt. rep.* 18 *&* 19 *Vict. cc.* 54, 55, *and see Tasmania Act* 18 *Vict. No.* 17*; and S. Australia Act*, 1851, *No.* 1. |
| | The words "And be it enacted, that" wherever they occur, except in sections thirty-one, thirty-three, and thirty-five. | |
| | The words "and be it enacted" in sections thirty-one, thirty-three, and thirty-five. | |
| | Section two, the words "after such separation as aforesaid." | *Ss.* 11, 15, 17, 27, 32 *as to Victoria, spent.* |
| | Section three, the words "after such separation" occurring three times, from "as aforesaid" to "therefrom," and from "Provided that" to the end of the section. | *Ss.* 13, 26, 37 *spent.* |
| | Sections seven to ten. | *Ss.* 21, 22, *sup. as to V. by* 27 *Vict. No.* 184, *ss to T. by* 16 *Vict. No.* 17, *as to S.A. by Act* 1858 *No.* 10, *and as to W.A. by* 34 *Vict. No.* 6. |
| | Section eleven, the words "after the "separation of the colony of Victoria "therefrom," and "after the establish- "ment of legislative councils therein "under this Act." | *Rest unnecessary.* |
| | Section twelve, from "the election of" to "determination of such council." | |
| | Section thirteen. | |
| | Section fourteen, the word "Victoria" and so much of the section as relates to the appropriation of town lands and the revenue arising thereon in Tasmania and South Australia. | |
| | Section fifteen, the word "Victoria," the words "Commissioners of her Majesty's," and from "of the United" to "Ireland." | |
| | Section seventeen, the words "after the "establishment of the colony of "Victoria," "after the establishment thereof," and "Commissioners of her Majesty's," and the words "after the "establishment of a legislative council "therein unless this Act" occurring twice, and from "of the United" to "Ireland." | |
| | Section twenty, to "Be it enacted that." | |
| | Sections twenty-one and twenty-two. | |
| | Section twenty-six. | |
| | Section twenty-seven, from "after" to "Act." | |
| | Section twenty-eight, to "enacted that." | |
| | Section thirty-two, from "after" where it first occurs to "Victoria" where it next occurs, and from "after" where it secondly occurs to "Act" where it next occurs. | |
| | Section thirty-seven. | |
| | Schedules. | |
| | Repealed as to all Her Majesty's Dominions. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 60. | An Act to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgagees and Trustees. | |
| | In part; namely,— | |
| | Preamble. | *S.* 21 *superseded as to court of Co. Pal. of Lancaster,* 17 & 18 *Vict. c.* 82. *s.* 11. |
| | Section two, to "declared that." | |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section twenty, the words "the Governor and Company of" wherever they occur. | *Rest unnecessary.* |
| | Section twenty-one, so far as it relates to the Court of Chancery of the County Palatine of Lancaster. | |
| | Section thirty-seven, the word "that" before "an order." | |
| | Section forty-six, the words "her heirs or successors." | |
| 13 & 14 Vict. c. 67. | An Act the title of which begins with the words "An Act to reduce" and ends with the words "Brewers and Distillers." | |
| | In part; namely,— | |
| | Title, from "to reduce" to "and also," and the words "and Distillers." | *Part of title in col.* 2 *refers only to repealed sections.* |
| | Section six, to "and fifty." | |
| 13 & 14 Vict. c. 68. | An Act to shorten the Duration of Elections in Ireland, and for establishing additional Places for taking the Poll thereat. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 2 *virt. rep.* 35 & 36 *Vict. c.* 33. *sect.* 18 (*temp.*) *and* 48 *Vict. c.* 17. *s.* 9. |
| | Section two. | |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Sect.* 15 *so far as not repealed by* 35 & 36 *Vict. c.* 33. *s.* 32, (*temp*), *virt. rep. by Sched. Part I., par.* 14, *and* 48 & 49 *Vict. c.* 10. |
| | Section five, from "from and" to "fifty-one." | |
| | Section eight, from "after" to "fifty-one." | |
| | Section nine, from "which shall" to "fifty-one." | *Schedule (A.) falls with rep. of s.* 2. |
| | Section fifteen. | *Rest spent or unnecessary.* |
| | Section eighteen, from "after the fifteenth" to "fifty-one." | |
| | Section twenty-one, from "after the" to "fifty-one." | |
| | Schedule (A.) | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 69. | An Act to amend the laws which regulate the Qualification and Registration of Parliamentary Voters in Ireland, and to alter the Law for rating Immediate Lessors of Premises to the Poor Rate in certain Boroughs. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 9, *as to part in col.* 2, *falls with repeal of recited enactment.* |
| | The words "And be it enacted, that" wherever they occur, except in section four, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Sect.* 12 *virt. rep.* 35 & 36 *Vict. c.* 33. *ss.* 7, 17, 31. |
| | Section three, to "in force." | |
| | Section four, the words "and be it enacted." | *Ss.* 33, 34, *as to parts in col.* 2, *virt. rep. or sup.* 48 *Vict. c.* 17. *s.* 18. |
| | Section eight, to "in force." | |
| | Section nine, to "enacted, that" and the word "that" wherever it occurs. | *S.* 55, *as to parts in col.* 2, *virt. rep. or sup.* 48 *Vict. c.* 17. *s.* 27. |
| | Section twelve. | |
| | Section thirty-three, from "and shall likewise keep a copy" to the end of the section. | *Part of s.* 74 *in col.* 2 *falls with repeal of Act*, 40 *Geo.* 3 (*I.*) *by S.L.R.A.* (*I.*), 1879. |
| | Section thirty-four, from "and shall likewise keep copies" to the end of the section. | *Schedules virt. rep.* 48 *Vict. c.* 17. *s.* 3. |
| | Section fifty-five, from "correct any mistake" to "to be dead, and," from "and wherever the christian name" to "insert the same in such list," and from "and where the name of any person" to the end of the section. | |
| | Section seventy-four, from "Provided always" to the end of the section. | |
| | Section ninety-two, to "enacted, that." | |
| | Section one hundred and eighteen. | |
| | Schedules. | |
| 13 & 14 Vict. c. 72. | An Act to amend the Laws for the Registration of Assurances of Lands in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "Commissioners of Her Majesty's" in sections three, fifty-two, fifty-seven, and fifty-eight. | |
| | The words "And be it enacted, that" wherever they occur, except in sections eighteen, forty-four, fifty-one, sixty and sixty-one, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 72. —*cont.* | The words "and be it enacted" in sections eighteen, forty-four, fifty-one, sixty, and sixty-one.<br>Section thirty-six, to "declared, that."<br>Section thirty-seven, to "declared that."<br>Section fifty-six, to "declared, that."<br>Section sixty, the words "her heirs or successors" twice occurring. | |
| 13 & 14 Vict. c. 73. | An Act to amend the Law relating to Proceedings by Process of Attachment of Goods in the Borough and other Courts of Record in Ireland.<br>In part; namely,—<br>Preamble.<br>Section two, to "this Act."<br>Section three, to "this Act."<br>Section four, to "this Act."<br>The words "And be it enacted, that" in sections five, eight to ten, and twelve.<br>The words "And be it enacted" in sections six and seven.<br>Section eight, from "at or" to "this Act."<br>Section ten, from "from and" to "this Act." | *Spent or unnecessary.* |
| 13 & 14 Vict. c. 74. | An Act for the better Regulation of the Office of Registrar of Judgments in Ireland.<br>In part; namely,—<br>Preamble.<br>Section one, to "this Act."<br>Section two, from "Commissioners" to "Majesty's," and the words "for the time being."<br>Section three, to "lieu thereof."<br>Section four, the words "her heirs and successors."<br>Section nine.<br>The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Sect.* 9 *virt. rep.* 17 & 18 *Vict. c.* 94. *s.* 1, *and Sched.* (*B.*), *and see* 40 & 41 *Vict. c.* 57. *s.* 76.<br>*Rest unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 82. | An Act to extend the Remedies for the Collection of Grand Jury Cess in Ireland. | |
| | In part; namely,— | |
| | Preamble, and section one to "same, that." | *Unnecessary.* |
| | Section two, to "enacted, that." | |
| 13 & 14 Vict. c. 83. | An Act to facilitate the Abandonment of Railways, and the Dissolution of Railway Companies in certain cases. | |
| | In part; namely,— | |
| | Preamble, and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two to ten, twelve to fifteen, seventeen to nineteen, twenty-one to twenty-five, twenty-seven to twenty-nine, thirty-four, and thirty-seven to thirty-nine. | |
| | The words "and be it enacted" in sections eleven, sixteen, twenty, twenty-six, thirty-five, and thirty-six. | |
| 13 & 14 Vict. c. 85. | An Act the title of which begins with the words "An Act to provide" and ends with the words "Assize Towns." | |
| | In part; namely,— | |
| | Preamble. | *As to assizes, see Interp. Act, s.* 13. |
| | The words "or other Chief Governor" or Governors of Ireland" and "or "other Chief Governor or Governors" wherever they occur. | *Parts of ss.* 1, 4, *as to custody and maintenance of prisoners, virt. rep. P.A.* 1877, *ss.* 17, 40, 42 |
| | Section one, to "same, that," from "and sessions under" to "criminal business" and from "and in such case" to the end of the section. | *Rest unnecessary.* |
| | Section two, from "and sessions under" to "criminal business," the words "and sessions," "or sessions," "sessions or" (where thirdly occurring), and the word "sessions" where it twice thereafter occurs. | |
| | The words "And be it enacted, that" in sections two and four. | |
| | Section three, the words "and be it enacted," and from "or sessions under" to "criminal business." | |
| | Section four, from "and sessions under" to "criminal business," and from "and in such cases" to the end of the section. | |
| | Section five, to "enacted, that" and the word "sessions." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 88. | An Act to amend the Law relating to Engines used in the Rivers and on the Sea Coasts of Ireland for the taking of Fish. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "repealed; and that." | |
| | The words "And be it enacted that" wherever they occur, except in sections fifteen, eighteen, thirty-two, and fifty-six, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections fifteen, eighteen, thirty-two, and fifty-six. | |
| | Section five, to "therefore enacted that." | |
| | Section thirteen, to "this Act," and the words "the next elections for conservators, and at." | |
| | Section twenty-two, to "this Act," where those words first occur. | |
| | Section thirty-six, to "enacted that." | |
| | Section forty-seven, to "enacted that." | |
| | Section fifty-six, the words "her heirs or successors." | |
| 13 & 14 Vict. c. 89. | An Act to regulate the Proceedings in the High Court of Chancery in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *S.* 33, *as to part in col.* 2, *superseded, J. A., ss.* 73, 76, *and Order of* 9 *Dec.* 1879. |
| | Section thirty-three, from "and shall be" to the end of the section. | |
| | Sections thirty-four and thirty-five. | |
| | Section thirty-six, from "on the first" where those words first occur to "October," and the whole section except as to the secretary to the Master of the Rolls. | *S.* 34 *superseded J. A.*, 1877, *s.* 82, *and Order* 22 *Nov.* 1884. |
| | Sections thirty-seven to forty-two. | *Ss.* 35, 37, 38, *and* 39 *virt. rep.* 40 *&* 41 *Vict. c.* 57. *ss.* 72, 73, *subject to savings of s.* 72. |
| | Section forty-four. | |
| | The words "And be it enacted, that" wherever they occur. | *S.* 41 *spent.* |
| | | *S.* 44 *refers only to repealed sections or to sections now proposed for repeal.* |
| | | *Rest already repealed.* |
| 13 & 14 Vict. c. 91. | An Act the title of which begins with the words "An Act to authorize" and ends with the words "for which they act." | *Superseded by Prison Acts,* 1865 *and* 1877. *Repeal sanctioned by Sec. of State. See letter,* 28 *Nov.* 1888. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 92. | An Act for the more effectual Prevention of Cruelty to Animals in Scotland.<br>In part; namely,— | |
| | Section one, the words "from and after the passing of this Act." | *Unnecessary.* |
| | Section eleven, the word "stewartry." | |
| | The words "And be it enacted, that" wherever they occur. | |
| 13 & 14 Vict. c. 94. | An Act to amend the Acts relating to the Ecclesiastical Commissioners for England.<br>In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same that" the words "United" "and Ireland" and "for the time being" occurring before "appointed." | |
| | The words "Commissioners of Her Majesty's," wherever they occur, in sections two and fourteen, and the word "said" where it last occurs in section fourteen. | |
| | The words "for England" wherever they occur in sections two, fifteen, and twenty. | |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section fifteen, from "and it is expedient" to "fund respectively" and the words "from and after the passing of this Act." | |
| | Section twenty-four, to "enacted, that." | |
| | Section twenty-five, to "enacted, that." | |
| | Section twenty-seven, to "enacted, that." | |
| 13 & 14 Vict. c. 97. | An Act to repeal certain Stamp Duties, and to grant others in lieu thereof; and to amend the Laws relating to the Stamp Duties.<br>In part, namely,— | |
| | Title from "to repeal" to "thereof, and." | *Unnecessary.* |
| | Section eight, to "enacted, that" and the words "her heirs and successors." | |
| 13 & 14 Vict. c. 98. | An Act to amend the Law relating to the holding of Benefices in Plurality.<br>In part; namely,— | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 98. —*cont.* | Preamble. | *Ss.* 1, 2 *virt. rep.* 48 & 49 *Vict. c.* 54. *s.* 14. |
| | The words "And be it enacted, that" wherever they occur. | |
| | The words "after the passing of this Act," wherever they occur in sections one, five, and six. | *S.* 10 *spent subject to savings.* |
| | Sections one and two. | *S.* 12 *spent, since* 32 & 33 *Vict. c.* 24. |
| | Section ten. | *Rest unnecessary.* |
| | Section eleven, the words "for England," where they secondly occur. | |
| | Section twelve. | |
| 13 & 14 Vict. c.101. | An Act the title of which begins with the words "An Act to continue" and ends with the words "Relief of the Poor." | |
| | In part; namely,— | |
| | Title from "to continue" to "Fund; and." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section four, to "enacted, that." | |
| | Section eleven, the word "that" before "all the." | |
| 13 & 14 Vict. c.105. | An Act for facilitating the Union of Liberties with the Counties in which they are situate. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in section ten. | |
| | Section ten, the words "and be it enacted." | |
| 13 & 14 Vict.c. 114. | An Act to repeal the Stamp Duties on Proceedings in the Courts of Law in Ireland, and to grant certain other Stamp Duties in lieu thereof. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," the words "her heirs and successors," and the word "that." | |
| | Section two, to "enacted, that," and the word "that" before "the several." | |
| | Section three, to "of this Act." | |
| | Section four, to "and fifty." | |

# Statute Law Revision. [H.L

A

# B I L L

INTITULED

An Act for further promoting the Revisi of the Statute Law by repealing Enactmen which have ceased to be in force or ha become unnecessary.

(*Brought from the Lords* 12 *May* 1891.)

*Ordered, by* The House of Commons, *to be Printed,* 12 *May* 1891.

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[*Price* 1½*d.*]

[Bill 336.]

A

# B I L L

[AS AMENDED BY THE SELECT COMMITTEE]

INTITULED

An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary. A.D. 1891.

WHEREAS it is expedient that certain enactments which may be regarded as spent, or have ceased to be in force otherwise than by express specific repeal by Parliament, or have, by lapse of time or otherwise, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Enactments in schedule repealed.

1. The enactments described in the schedule to this Act are hereby repealed, subject to the provisions of this Act and subject to the exceptions and qualifications in the schedule mentioned; and every part of a title, preamble, or recital specified after the words "in part, namely," in connexion with an Act mentioned in the said schedule may be omitted from any revised edition of the statutes published by authority after the passing of this Act, and there may be added in the said edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble, or recital, as may in consequence of such omission appear necessary:

Provided as follows:

The repeal of any words or expressions of enactment described in the said schedule shall not affect the binding force, operation, or construction of any statute, or of any part of a statute, whether as respects the past or the future;

and where any enactment not comprised in the said schedule has been repealed, confirmed, revived, or perpetuated by any enactment hereby repealed, such repeal, confirmation, revivor, or perpetuation shall not be affected by the repeal effected by this Act:

A.D. 1891.

and the repeal by this Act of any enactment or schedule shall not affect any enactment in which such enactment or schedule has been applied, incorporated, or referred to;

nor shall such repeal of any enactment affect any right to any hereditary revenues of the Crown, or affect any charges thereupon or prevent any such enactment from being put in force for the collection of any such revenues, or otherwise in relation thereto;

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing status or capacity,—or any right, title, obligation, or liability already acquired, accrued, or incurred, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, obligation, liability, claim, or demand,—or any indemnity,—or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice, or procedure, or the general or public nature of any statute, or any existing usage, franchise, liberty, custom, privilege, restriction, exemption, office, appointment, payment, allowance, emolument, or benefit, or any prospective right, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed;

nor shall this Act revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure, form of punishment, or other matter or thing not now existing or in force;

and this Act shall not extend to repeal any enactment so far as the same may be in force in any part of Her Majesty's dominions out of the United Kingdom, except where otherwise expressed in the said schedule.

Application of repealed enactments in local courts.

**2.** If and so far as any enactment repealed by this Act applies or may have been by Order in Council applied to the court of the county palatine of Lancaster or to any inferior court of civil jurisdiction, such enactment shall be construed as if it were contained in a local and personal Act specially relating to such court and shall have effect accordingly.

Short title.

**3.** This Act may be cited as the Statute Law Revision Act, 1891.

## NOTE.

A.D. 1891.

*The entries in italics in the third column of the schedule, with this Note, are intended to be struck out at a late stage of the Bill.*

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*The schedule is intended to comprise* (*as the preamble to the Bill states*), *enactments which have* ceased to be in force, *otherwise than by express specific repeal, or have, by lapse of time or otherwise, become* unnecessary.

I.—*For the purposes of the schedule six different classes of enactments are considered as having* ceased to be in force, *although not expressly and specifically repealed; namely, such enactments as are—*

1. Expired.—*that is, enactments which, having been originally limited to endure only for a specified period, by a distinct provision, have not been either perpetuated or kept in force by continuance, or which have merely had for their object the continuance of previous temporary enactments for periods now gone by effluxion of time:*
2. Spent.*—*that is, enactments spent or exhausted in operation by the accomplishment of the purposes for which they were passed, either at the moment of their first taking effect, or on the happening of some event, or on the doing of some act authorised or required:*
3. Repealed in general terms.—*that is, repealed by the operation of an enactment expressed only in general terms, as distinguished from an enactment specifying the Acts on which it is to operate:*
4. Virtually repealed.—*where an earlier enactment is inconsistent with, or is rendered nugatory by, a later one:*
5. Superseded.—*where a later enactment effects the same purposes as an earlier one, by repetition of its terms or otherwise:*
6. Obsolete.—*where the state of things contemplated by the enactment has ceased to exist, or the enactment is of such a nature as to be no longer capable of being put in force, regard being had to the alteration of political or social circumstances.*

II.—*For the purposes of the schedule, enactments are considered* unnecessary *where the provisions are of such a nature as not to require, at the present day, statutory authority.*

III.—*Where any enactment is comprised in the schedule on any ground not above explained, the ground of repeal sufficiently appears from the expression used in the third column.*

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* *As to the use of the term* spent, *see* 1 *Blackst. Comm.* 44. (14*th ed.*), 2*nd Report of the late Statute Law Commissioners, p.* 7, *and Warren v. Windle,* 3 *East,* 205.

A.D. 1891.

# SCHEDULE.

This schedule is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Statute Law Committee in all cases of Statutes included in that edition.

Enactments which have been already repealed are, in a few instances, included in the schedule, in order to avoid the necessity of reference to previous Statutes.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 1 & 2 Geo. 4. c. 48. - | An Act to amend the several Acts for the regulation of Attornies and Solicitors. | *Rep. by* 6 *&* 7 *Vict. c.* 73. *s.* 1, *except so far as it affects the attornies and solicitors of Ireland. Virt. rep. by* 29 *&* 30 *Vict. c.* 84. *s.* 3. |
| 3 Geo. 4. c. 16. - | An Act to amend an Act made in the last Session of Parliament for amending the several Acts for the regulation of Attornies and Solicitors. | *See note against* 1 & 2 *Geo.* 4. *c.* 48. |
| 4 Geo. 4. c. 60. - | An Act for granting to His Majesty a sum of Money to be raised by Lotteries.<br>In part; namely,—<br>Section thirty-eight.<br>Section sixty-seven from "and any such adjudication" to "et cetera, et cetera." | *Rep. as to England by* 47 *&* 48 *Vict. c.* 43. *Superseded* (*as to Dublin*) 5 *&* 6 *Vict. c.* 24. *s.* 52, *and as to Ireland generally by* 14 *&* 15 *Vict. c.* 93. *ss.* 13 (2), 21. |
| 4 Geo. 4. c. 61. - | An Act for the better Administration of Justice in the Court of Chancery in Ireland.<br>In part; namely,—<br>Section seven, the words "such of," from "in the court" to "of Parliament," and the word "deputy" where it lastly occurs.<br>Section eight. | *S.* 7 *as to part in col.* 2 *and s.* 8 *virtually repealed,* 30 *&* 31 *Vict. c.* 44. *ss.* 179. *and* 181., *and J. A.*, 1877 *s.* 73. *Ss.* 13–17 *superseded by J. A.*, 1877, *viz.*:—<br>*Ss.* 13, 14 *by s.* 73. *and Order and Regulations of May* 6, 1884. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 4 Geo. 4. c. 61.—*cont.* | Sections thirteen to seventeen.<br>Section twenty-four.<br>Sections thirty-three and thirty-four.<br>Section forty-one, the words "and "except any master in ordinary "of the said court."<br>Sections forty-three to fifty.<br>Section fifty-five.<br>Section fifty-six to "pound and no more and."<br>Section fifty-eight. | *S.* 15. *by General Order December* 26, 1877 (*Court Fees*), *Rule* 8, *and Schedule II., Part* 1 (*Copies*) *and Rules, April* 1878 (*Costs*). *Order* 11, *Rule* 9; *rest of section* 15 *from "and further" to end of section unnecessary.*<br>*S.* 16. *By General Order* (1867) *Rule* 184.<br>*S.* 17, *by General Order, December 26th* 1877 (*Court Fees*), *Rule* 9.<br>*S.* 24 *virtually repealed by* 30 *&* 31 *Vict. c.* 129. *ss.* 3, 6, *and General Order* (1867), *Rules* 263 *and following.*<br>*Ss.* 33, 34, *and* 41, *as to part in col.* 2 *virtually repealed by* 30 *&* 31 *Vict. c.* 44. *s.* 27.<br>*Ss.* 43, 44, 46, *and* 47–50 *virtually repealed by* 30 *&* 31 *Vict. c.* 44. *ss.* 27, 87, *and following sections, and J. A.* 1877, *R.S.C.* (1891), *Order* 37, *Rule* 4.<br>*S.* 45 *virt. repealed by* 30 *&* 31 *Vict. c.* 129. *s.* 24, *and J. A. Order, December* 20, 1879.<br>*S.* 55 *superseded by Order of December* 20, 1879.<br>*S.* 56 *as to part in col.* 2 *virt. repealed by* 30 *&* 31 *Vict. c.* 44. *ss.* 179–181.<br>*S.* 58 *falls with repeal of recited Act by S. L. R.* (*I.*) *Act,* 1879. |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 4 Geo. 4. c. 80. - | An Act the title of which begins with the words "An Act to consolidate," and ends with the words "in India."<br>In part; namely,—<br>Sections twenty-nine and thirty. | *Repealed as to E. by* 47 & 48 *Vict. c.* 43. *Superseded as to Ireland generally by Petty Sessions (Ireland) Act,* 1851, *ss.* 21, 22, *and as to Dublin by* 5 & 6 *Vict. c.* 24. *ss.* 71, 72, *so far as the Act can apply to Ireland.* |
| 4 Geo. 4. c. 97. - | An Act the title of which begins with the words "An Act for the Regulation" and ends with the words "in Scotland."<br>In part; namely,—<br>Section five, to "twenty-four," and the words "from thenceforth" and "then after." | *Spent.* |
| 6 Geo. 4. c. 23. - - | An Act for the better Regulation of the Sheriff and Burgh Courts in Scotland.<br>In part; namely,—<br>Section four, the words "or stewart" and "and stewart."<br>Section ten, from "for the more" to "Scotland and." | *Name covered by "sheriff."* |
| 6 Geo. 4. c. 30. - | An Act to amend an Act of the Fourth Year of His present Majesty's reign, for the better Administration of Justice in the Court of Chancery in Ireland. | *Superseded by J. A.,* 1877, *and Order, Dec.* 20, 1879: *No examiners or masters in Chancery now exist.* |
| 6 Geo. 4. c. 48. - | An Act the title of which begins with the words "An Act to alter" and ends with the word "Scotland."<br>In part; namely,—<br>Section three, the words "or stewartry."<br>Section twenty-one, the words "or stewartry." | *Interp. Act,* 1889. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 Geo. 4. c. 14. - | An Act the title of which begins with the words "An Act for the further" and ends with the word "Ireland." | |
| | In part; namely,— | |
| | Section three. | *Obsolete since Irish Church Act*, 1869. |
| 7 & 8 Geo. 4. c. 53. - | An Act the title of which begins with the words "An Act to consolidate" and ends with the word "Ireland." | |
| | In part; namely,— | |
| | Section eight, the words "or assistant commissioner or commissioner of appeal under this Act." | *As to commissioners of appeal, virt. rep. 4 & 5 Vict. c. 20. s. 25., as to proceedings before commissioners of excise, virt. rep. by 53 & 54 Vict. c. 21. s. 21 (3).* |
| | Section twenty-two, the words "and assistant commissioners" occurring twice. | |
| | Section twenty-nine, the words "or assistant commissioner," "or assistant commissioners," and "or for the commissioners of appeal under this Act." | |
| | Section thirty. | *S. 30 superseded by 3 & 4 Will. 4. c. 49.* |
| | Section thirty-one, the words "or affirmation or declaration" "or affirm or declare" wherever they respectively occur. | |
| | Section thirty-three, the words "and assistant commissioners" occurring twice. | |
| | Section sixty-five, from "where the offence" where those words first occur to "said chief office" and the words "and such commissioners of excise" "as hereinafter mentioned" where they first occur and "commissioners and" and the word "respectively" where it first, secondly, thirdly, and fourthly occurs. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Geo. 4. c. 53.—*cont.* | Section sixty-seven, the words "and assistant commissioners." | |
| | Section sixty-eight, the words "for "any assistant commissioner of "excise or" and "any such assistant commissioner or." | |
| | Section sixty-nine, the words "and assistant commissioners." | |
| | Section seventy, the words "and assistant commissioners." | |
| | Section seventy-one, the words "and assistant commissioners" occur ring twice. | |
| | Section seventy-three, the words "the commissioners of excise and" "respectively" occurring twice and "as before mentioned." | |
| | Section seventy-four, the words "commissioners of excise and" "and commissioners of appeal under this Act respectively" "respectively" where it next occurs "commissioners or the" and "or the said commissioners of appeal." | |
| | Section seventy-seven, the words "the commissioners of excise or." | |
| | Section seventy-eight, the words "commissioners of excise and" "commissioners or" "commissioners and" and "they" after "as" and the word "respectively" wherever it occurs. | |
| | Section seventy-nine, the words "or "commissioners of appeal in this "Act after mentioned." | |
| | Section eighty-two, the word "either" before "to the" and the words "commissioners of appeal or" and "of such commissioners of appeal or." | |
| | Section eighty-three, the words commissioners of excise or" from "at the office" to "appeal or" and the word "respectively" occurring twice. | |
| | Section eighty-four, the words "the commissioners of appeal or" "commissioners of appeal and" occurring twice and "and commissioners of excise" and the word "respectively" wherever it occurs. | |
| | Section eighty-five, the words "commissioners of excise or" wherever they occur, "commissioners of appeal or" and "respectively" occurring twice. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Geo. 4. c. 53.—*cont.* | Section eighty-six, the words "commissioners of excise or" occurring twice, "commissioners of excise and" and "respectively" wherever it occurs.<br>Section eighty-seven, the words "by the commissioners of appeal or" "commissioners of appeal or" subsequently occurring twice, "commissioners or" occurring twice and "respectively" wherever it occurs.<br>Section ninety, the words "and assistant commissioners."<br>Section one hundred and ten, the words "and assistant commissioners." | |
| 9 Geo. 4 c. 24. - | An Act to repeal certain Acts and to consolidate and amend the Laws relating to Bills of Exchange and Promissory Notes in Ireland.<br>In part; namely,— | |
| | Section three. | *S. 3 falls with s. 2, which is already repealed.* |
| | Section five. | *S. 5 superseded by sec. 69 of B. of Exchange Act*, 1882. |
| 9 Geo. 4. c. 35. - | An Act to protect Purchasers for valuable consideration in Ireland against Judgments not revived or redocketed within a limited time. | *Virtually rep. by 13 & 14 Vict. c. 29. Judgments no longer affect lands in Ireland unless registered as mortgages under that Act.* |
| 9 Geo. 4. c. 89. - | An Act for the Preservation of the Salmon Fisheries in Scotland.<br>In part; namely,— | |
| | Section three, from "after" to "Act." | *Spent.* |
| 9 Geo. 4. c. 47. - | An Act the title of which begins with the words "An Act for regulating" and ends with the words "United Kingdom."<br>In part; namely,— | |
| | Section one, the words "and assistant commissioners" occurring twice, and "or assistant commissioners." | *Obsolete. See 53 & 54 Vict. c. 21.* |
| | Section two, the words "and assistant commissioners. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 Geo. 4. c. 54. - | An Act for improving the Administration of Justice in Criminal Cases in Ireland. | |
| | In part; namely,— | |
| | Section twelve, to "abolished: but." | *Spent.* |
| 9 Geo. 4. c. 58. - - | An Act the title of which begins with the words "An Act to regulate" and ends with the word "Certificate." | |
| | In part; namely,— | |
| | Section thirty, the words "after the commencement of this Act." | *Unnecessary.* |
| 10 Geo. 4. c. 7. - | An Act the title of which begins with the words "An Act for the Relief" and ends with the word "Subjects." | |
| | In part; namely,— | |
| | Section thirteen. | *Falls with rep. of 7 Geo. 4. c. 72.* |
| | Section fourteen, the word "and" before "upon" and the words "also" and "other." | |
| 10 Geo. 4. c. 24. - | An Act the title of which begins with the words "An Act to enable" and ends with the words "of Years." | |
| | In part; namely,— | |
| | Section twelve, the words "after the passing of this Act." | *Unnecessary.* |
| | Section seventeen, the words "the governor and company of." | |
| 10 Geo. 4. c. 50. - | The Crown Lands Act, 1829. | |
| | In part; namely,— | |
| | Section fifty-eight, from "from and after" to "this Act." | *Spent.* |
| | Section fifty-nine, the words "after the passing of this Act," occurring twice. | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 Geo. 4. & 1 Will. 4. c. 26. | An Act the title of which begins with the words "An Act to authorise" and ends with the word "Annuities." | |
| | In part; namely,— | |
| | Section six, the words "the governor and company of." | *Unnecessary.* |
| | Section nine, the words "except as herein-after excepted." | *Falls with repeal of s.* 10. *by S.L.R. Act* (2), 1888. |
| 11 Geo. 4. & 1 Will 4. c. 37. | An Act the title of which begins with the words "An Act to amend" and ends with the word "Punishment." | |
| | In part; namely,— | |
| | Section five, the words "it is provided that." | *Unnecessary.* |
| | Section seven, the words "it is hereby provided that." | |
| 11 Geo. 4. & 1 Will. 4. c. 39. | An Act the title of which begins with the words "An Act to amend" and ends with the word "colonies." | |
| | In part; namely,— | |
| | Section seven, from "or at any great" to "Chester." | *Obsolete.* |
| 11 Geo. 4. & 1 Will. 4. c. 65. | An Act the title of which begins with the words "An Act for consolidating" and ends with the word "Mind." | |
| | In part; namely,— | |
| | Section forty-four, the words "the governor and company of." | *Unnecessary. See Interp. Act*, 1889. |
| 11 Geo. 4. & 1 Will. 4. c. 69. | An Act the title of which begins with the words "An Act for uniting" and ends with the word "Scotland." | |
| | In part; namely,— | |
| | The words "it is provided that," "it is provided further that," and "it is hereby provided that," in sections thirteen, twenty-four, and thirty-seven. | *Unnecessary.* |
| 11 Geo. 4. & 1 Will. 4. c. 70. | An Act for the more effectual Administration of Justice in England and Wales. | |
| | In part; namely,— | |
| | Section seven. | *Super. C.O. Rules* (1886), 155, 165. |
| 1 Will. 4. c. 7. | An Act the title of which begins with the words "An Act for the more" and ends with the word "Westminster." | *Superseded by Judic. Act*, 1873, *and Rules of Supreme Court*, 1883. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 1 Will. 4. c. 21. - | An Act to improve the Proceedings in Prohibition and Writs of Mandamus. | *This Act repealed as to England by* 46 *&* 47 *Vict. c.* 45, *s.* 83. *As to Ireland to which it was applied by* 9 *&* 10 *Vict. c.* 113. *superseded by C. O. R. (I.),* 1891, *Rule* 124. |
| 1 & 2 Will. 4. c. 31. - | An Act to improve the Administration of Justice in Ireland.<br>In part; namely,—<br>Section one, from "provided that if" to end of section.<br>Sections four, eight, fifteen, and twenty-two. | *S.* 1 *as to pts. in col.* 2, *and ss.* 8, 22 *obsolete or unnecessary.*<br>*S.* 4 *superseded C. O. R.* 1891, *Rules* 155, 156.<br>*S.* 15 *sup. J. A.* 1877, *and R.S.C.* 1891, *O.* 36 (vi.). |
| 1 & 2 Will. 4. c. 32. - | An Act to amend the Laws in England relative to Game.<br>In part; namely,—<br>Section thirty-eight, from "and for any term" to end of the section.<br>Sections thirty-nine and forty.<br>Section forty-one, from "and that where" to the end of the section.<br>Section forty-three.<br>Section forty-four, from "to be holden" to end of the section.<br>Section forty-five, from "and that no" to the end of the section.<br>Repealed except as to Ireland. | [*Extended to S. and I. by* 23 *&* 24 *Vict. c.* 90. *s.* 13.]<br>*As to parts in col.* 2 *already repealed as to England, virt. rep. or sup. as to S. by Sum. Jur. (Scotland) Acts,* 1864 *and* 1881. |
| 1 & 2 Will. 4. c. 37. - | An Act to prohibit the payment, in certain trades, of wages in goods, or otherwise than in the current coin of the realm.<br>In part; namely,—<br>The words "in any of the trades herein-after enumerated," "in any of the said trades," "in any such trade," and "in such trade" wherever they occur in sections one to seven and nine.<br>Section five, the words "such" and "as aforesaid" where they respectively first occur.<br>Section seven, the words "such" and "as aforesaid" where they respectively first occur. | *Superseded as to trades enumerated by* 50 *&* 51 *Vict. c.* 46. *s.* 2, *which applies to all trades.*<br>*As to parts of ss.* 9, 17 *in col.* 2 *already rep. as to England. Sperseded as to Scotland by Summ. Jur. (Scotland) Acts,* 1864 *and* 1881. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 1 & 2 Will. 4. c. 37.—*cont.* | Section eight, the words "such" and "as aforesaid" where they respectively first occur. | |
| | Section nine, the words "nor less than five pounds," except as to Ireland." | |
| | Section seventeen, from "and no warrant" to the end of the section, except as to Ireland. | |
| | Section twenty-three, from "workman or" to "this Act." | |
| 2 & 3 Will. 4. c. 4. - | An Act for more effectually preventing Embezzlements by Persons employed in the Public Service of His Majesty. | *Repealed as to England and Ireland by* 24 *&* 25 *Vict. c.* 95. *s.* 1. *Not operative in Scotland.* |
| 2 & 3 Will. 4. c. 5. - | An Act to provide for carrying on the Business of the Court of Session in Scotland when interrupted by the Death or necessary absence of any of the Judges thereof. | |
| | In part; namely,— | |
| | Section one, from "of either division" to "on the bills," the words "and that either" and "or bill chamber," and from "or by appointing," to the end of the section. | *Virt. rep.* 1 *&* 2 *Vict. c.* 118. *ss.* 1 *and* 4. |
| | Section two, the words "of the same or of the other division." | |
| 2 & 3 Will. 4. c. 48. - | An Act to regulate the Office of Clerk of the Crown in the Court of King's Bench in Ireland. | |
| | In part; namely,— | |
| | Section three, the words "or other "chief governor or governors of "Ireland." | *S. 5 as to part in col.* 2 *and ss.* 14, 15 *virt. rep. Jud. Act,* 1877, *s.* 73. |
| | Section five, from "save and" to "shall be employed." | |
| | Sections fourteen and fifteen. | |
| 2 & 3 Will. 4. c. 65. | An Act to amend the Representation of the People in Scotland. | |
| | In part; namely,— | |
| | Section twenty-three. | *S.* 23 *rep. in general terms* 31 *&* 32 *Vict. c.* 48. *s.* 22. |
| | Section twenty-nine. | |
| | Section thirty, to "Provided always that." | *S.* 29 *and s.* 30 *in part virt. rep.* 35 *&* 36 *Vict. c.* 33. *First Sch. s.* 1. |
| | Section thirty-four. | |
| | Section forty-one. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 2 & 3 Will. 4. c. 65.—*cont.* | | *S.* 34 *virt. rep.* 35 *&* 36. *Vict. c.* 33. *First Sch. ss.* 44 *and* 45. |
| | | *S.* 41 *rep. in gen. terms* 40 *&* 41 *Vict. c.* 50. *s.* 12. |
| 2 & 3 Will. 4. c. 68. - | An Act for the more effectual Prevention of Trespass upon Property by Persons in Pursuit of Game in that part of Great Britain called Scotland. | |
| | In part; namely,— | |
| | Section eight, from "for any term" to "months." | *Sup. by Sum. Jur. (Scotland) Acts,* 1864 *and* 1881. |
| | Sections nine and ten. | |
| | Section eleven, from "and . . . where" to the end of the section. | |
| | Sections thirteen to fifteen. | |
| 2 & 3 Will. 4. c. 75. - | An Act for regulating Schools of Anatomy. | |
| | In part; namely,— | |
| | Section sixteen. | *Sup. as to S. by* 31 *&* 32 *Vict. c.* 24. *s.* 6. |
| | | *Already rep. except as to S.* |
| 2 & 3 Will. 4. c. 78. - | An Act the title of which begins with the words "An Act to continue" and ends with the words "said Island." | |
| | In part; namely,— | |
| | Title, from "and to provide" to the end of the title. | *Part of title refers only to repealed section.* |
| | Preamble, and to "same that." | *Rest unnecessary.* |
| 2 & 3 Will. 4. c. 86. - | An Act to amend an Act of the Forty-fifth Year of His Majesty King George the Third, relating to Post Roads in Ireland. | *Falls with repeal of* 1 *&* 2 *Will.* 4. *c.* 33. *s.* 101. |
| 2 & 3 Will. 4. c. 87. - | An Act to regulate the Office for registering Deeds, Conveyances, and Wills in Ireland. | |
| | In part; namely,— | |
| | Section two, from "as named and" to "annexed," and the words "hereafter upon the happening of any vacancy." | *S.* 2 *as to part in col.* 2 *and Schedule (A.) spent. Offices now regulated by Treasury under s.* 35. |
| | Section nine, to "as may be; and." | |
| | Section thirty-five, from "and also provided" to the end of the section. | *Rest spent.* |
| | Schedule A. | |
| 2 & 3 Will. 4. c. 88. - | An Act to amend the Representation of the People in Ireland. | *Ss.* 1, 5, 9, 11 *as to parts in col.* 2, *and ss.* 6, 13, 14, 27, 64 *and Sched. (A.) superseded by* 13 *&* 14 *Vict. c.* 69. *ss.* 1, 3, 12, 14, 46. |
| | In part; namely,— | |
| | Section one, from "or for the unexpired" where those words secondly occur to "charges"; the words "no person being such lessee or assignee of such term of twenty | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 2 & 3 Will. 4. c. 88.—*cont* | years and," "or twenty," and "unless he shall be in the actual occupation of the premises and." | *S.* 2 *in operation; no copyholders in Ireland.* |
| | Section two. | *Ss.* 57, 58, 62 *obsolete.* |
| | Section five, from "who shall be seised" to "same; or"; from "or who shall hold and occupy" to "ten pounds"; the words "according to the provisions of this Act," and from "Provided always" to the end of the section. | *S.* 68 *rep. by* 47 & 48 *Vict. c.* 35. |
| | Section six. | |
| | Section nine, from "all freemen" to "borough and," from "after such" to "Act but," from "since the" to "hereafter," and the words "or register as freemen under this Act." | |
| | Sections thirteen, fourteen, and twenty-seven. | |
| | Sections fifty-seven and fifty-eight. | |
| | Sections sixty-two, sixty-four, sixty-seven, and sixty-eight. | |
| | Schedule A. | |
| 2 & 3 Will. 4. c. 120. - | An Act to repeal the Duties under the Management of the Commissioners of Stamps on Stage Carriages and on Horses let for Hire in Great Britain, and to grant other Duties in lieu thereof, and also to consolidate and amend the laws relating thereto. | |
| | In part; namely,— | |
| | Section one hundred and three, from "and it shall be lawful" to "paid and satisfied," from "for the county" to "hearing of such appeal," and the word "also." | *Sup. as to S. by S.J. Acts,* 1864 *and* 1881. *Already rep. as to E.,* |
| | Section one hundred and five, from "provided that" to the end of the section. | |
| | Sections one hundred and eight, one hundred and ten, one hundred and eleven, and one hundred and thirteen. | |
| | Schedule B. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 2 & 3 Will. 4. c. 123. | An Act for Abolishing the Punishment of Death in certain cases of Forgery. | *Sup. as to S.* 50 *&* 51 *Vict. c.* 35. *ss.* 56 *and* 15. *Already rep. as to E. and I.* |
| 3 & 4 Will. 4. c. 48. | An Act the title of which begins with the words "An Act to amend" and ends with the word "Metropolis."<br>In part; namely,—<br>Section seven, from "and to place" to "of stamps." | *These words are part of title of* 1 *&* 2 *Will.* 4. *c.* 22. *which part has been rep.* |
| 3 & 4 Will. 4. c. 50. | An Act to repeal the several Laws relating to the Customs.<br>In part; namely,—<br>Section three, from "and for repealing" to "America as relates thereto," and from "and to amend an Act of the present session" to "registered in India." | *These words are parts of titles of* 18 *Geo.* 3. *c.* 12. *and* 4 *Geo.* 4. *c.* 80. *which parts have been rep.* |
| 3 & 4 Will. 4. c. 68. | An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in Ireland.<br>In part; namely,—<br>Section two, from "to each of the churchwardens" to "situate and," from "and the names" where those words first occur to "or union," from "and the names" where those words next occur, to "licence."<br>Section six, from "and upon the" to "bond hereinafter mentioned."<br>Section nine, from "without" to the end of the section.<br>Section ten, from "together" to "for such licensed person."<br>Section eleven, the words "and of each of his sureties."<br>Section twelve, from "together" to "person under this Act."<br>Sections twenty-two to thirty-eight. | *Ss.* 2, 6, 9, 10–12 *as to parts in col.* 2 *virt. rep.* 18 *&* 19 *Vict. c.* 103, *s.* 4, *and* 37 *&* 38 *Vict. c.* 69. *s.* 10.<br>*Ss.* 22–38 *superseded by* 26 *&* 27 *Vict. c.* 96. *s.* 1. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 3 & 4 Will. 4. c. 76. - | An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in Scotland. | |
| | In part; namely,— | |
| | Sections one to three. | *S.* 1 *sup.* 31 *&* 32 *Vict. c.* 108. *s.* 3. |
| | Section four, from "and the respective" to the end of the section. | *Ss.* 2, 3, *and* 6 *and Sched. A. and B. wholly and ss.* 4 *and* 5 *as to parts in col.* 2 *sup. by* 33 *&* 34 *Vict. c.* 92. *s.* 6. |
| | Section five, from "and within five" to "herein-before directed." | |
| | Section six. | |
| | Section eight, the word "open," and from "and it shall not be" to the end of the section. | *Ss.* 8, 10, 11, *and* 15 *as to parts in col.* 2 *and Sched. D. and E. virt. rep. by* 31 *&* 32 *Vict. c.* 108. *s.* 8. *and* 35 *&* 36 *Vict. c.* 33. *s.* 32. |
| | Section nine. | |
| | Section ten, from "the poll books for" to "be transmitted to," the words "who" "after the receipt of the same" and "shall openly break the seals and." | |
| | Section eleven, from "shall declare their" to "clerk, together with," and from "no other inquiry" to "number of votes and." | *S.* 9 *virt. rep. by* 35 *&* 36 *Vict. c.* 33. *ss.* 8 *and* 20, *and* 48 *&* 49 *Vict. c.* 10. |
| | Section fourteen, the words "previous to such induction" and from "and each such" to "declined to accept." | *S.* 14 *as to part in col.* 2 *rep. in general terms by* 23 *&* 24 *Vict. c.* 47. |
| | Section fifteen, from "videlicet, the" to "assemble and." | *S.* 30 *sup. by* 35 *&* 36 *Vict. c.* 33. *s.* 16 (5), *and* 33 *&* 34 *Vict. c.* 92. *s.* 6. *and* 9. |
| | Section thirty. | |
| | Schedules A., B., D., and E. | |
| 3 & 4 Will. 4. c. 77. - | An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs. | |
| | In part; namely,— | |
| | Section two. | *S.* 2. *sup.* 31 *&* 32 *Vict. c.* 108. *s.* 5. |
| | Sections four to nine. | |
| | Section eleven, from "videlicet, the burghs" to "assemble and," and from "in manner herein-before" to "under this Act," and the words "subsequent to the first election." | *Ss.* 4–7 *and* 9, *and s.* 11 *as to part in col.* 2 *virt. rep. by* 35 *&* 36 *Vict. c.* 33. *s.* 22. |
| | Section twenty-nine. | *S.* 29 *virt. rep. by* 33 *&* 34 *Vict. c.* 92. *s.* 9, *and* 35 *&* 36 *Vict. c.* 33. s. 16 (5). |
| | Schedules A. and B. | *Schedules virt. rep. by* 31 *&* 32 *Vict. c.* 108. *s.* 8. |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 3 & 4 Will. 4. c. 92. - | An Act to explain and amend the provisions of certain Acts for the erecting and establishing Public Infirmaries, Hospitals, and Dispensaries in Ireland. | |
| | In part; namely,— | |
| | Sections six and seven. | *Superseded by* 40 & 41 *Vict. c.* 49, *ss.* 27, 28. |
| 4 & 5 Will. 4. c. 61. - | An Act for the more effectually providing for the erection of certain Bridges in Ireland. | |
| | In part; namely,— | |
| | Section nine, from "and upon such presentment" to end of section. | *Repealed in general terms by* 2 & 3 *Vict. c.* 50. *s.* 7. |
| 4 & 5 Will. 4. c. 70. - | An Act to regulate the Salaries of the Officers of the House of Commons. | |
| | In part; namely,— | |
| | Section three, the words "Provided always, that" and "said." | *Unnecessary.* |
| 4 & 5 Will. 4. c. 76. - | The Poor Law Amendment Act, 1834. | |
| | In part; namely,— | |
| | Section fifty-one, from "to alter and" to "at a time." | *These words are part of title of* 55 *Geo.* 3. *c.* 137. *which part is repealed.* |
| 4 & 5 Will. 4. c. 78. - | An Act for the amendment of the Proceedings and Practice of the High Court of Chancery in Ireland. | |
| | In part; namely,— | |
| | Sections one to seven, nine, twelve to eighteen, and thirty-six. | *Virt. rep. by Chancery Act of* 1867 *and J. A.*, 1877. |
| 4 & 5 Will. 4. c. 92. - | An Act for the abolition of Fines and Recoveries, and for the substitution of more simple modes of Assurance, in Ireland. | |
| | In part; namely,— | |
| | Section sixty-seven. | *S.* 67 *superseded by J. A.*, 1877, *s.* 61. |
| | Section seventy, the words "or a "master in Chancery." | *Office of Master in Chancery is abolished.* |
| | Section seventy-one, the words master in Chancery." | |
| | Section seventy-four, the words "or a master in Chancery." | *S.* 75 *virt. rep. by Rules of Feb.* 14*th*, 1883, *made under Conveyancing Act*, 1882, *sec.* 7. |
| | Section seventy-five, the words "master in Chancery" and from "which memorandum" to end of section. | |
| | Section eighty, from "the Lord Chief Justice" to "pleasure and," the word "also," and from "and certificates" to "the certificates." | *S.* 80 *as to part in ccl.* 2 *fails with rep. of ss.* 76–79. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 5 & 6 Will. 4. c. 16. - | An Act for altering and amending the law regarding commitments by courts of equity for contempts, and the taking Bills *pro confesso* in Ireland. | |
| | In part; namely,— | |
| | Sections one to eleven. | *S.* 1 *superseded by rules of March 22nd*, 1878, *made under Prisons (Ireland) Act*, 1877, *and see s.* 15 *of that Act.* |
| | Section twelve, sub-sections one to eleven, in sub-section thirteen the words "or upon any report to be made in pursuance of this Act," in sub-section fourteen the words "or upon any such report as aforesaid," in sub-section fifteen the words "upon any such report as aforesaid or," and "upon any such report as aforesaid," and sub-section seventeen. | *Marshalsea Prison abolished by* 37 & 38 *Vict. c.* 21. |
| | Section thirteen. | *Ss.* 2–11 *virt. rep. by Chancery (Ireland) Act*, 1867. |
| | Section fourteen, from "except as to the costs" to "money or costs." | *Ss.* 12, 15, *as to parts in col.* 2 *and s.* 13 *superseded.* |
| | Section fifteen from "but the reports" to end of section. | *S.* 19 *spent.* |
| | Section nineteen. | |
| 5 & 6 Will. 4. c. 27. - | An Act to continue and amend certain Regulations for the Linen and Hempen Manufactures in Ireland. | |
| | In part; namely,— | |
| | Section thirty-one. | *Unnecessary. See* 3 & 4 *Will.* 4. *c.* 49. |
| 5 & 6 Will. 4. c 33. - | An Act the title of which begins with the words "An Act for preventing" and ends with the words "other Indictments. . ." | *Superseded C. O. Rules* 1886, *Rule* 30. |
| 5 & 6 Will. 4. c. 55. - | An Act the title of which begins with the words "An Act for facilitating" and ends with the words "Great Britain." | |
| | In part; namely,— | |
| | Sections thirty-two to thirty-eight. | *Obsolete in consequence of partial repeal of s.* 31. *by S. L. R.*, 1874. |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 5 & 6 Will. 4. c. 70. - | An Act for abolishing in Scotland, Imprisonment for Civil Debts of Small Amount. | *Sup.* 43 *&* 44 *Vict. c.* 34. *s.* 4. |
| 6 & 7 Will. 4. c. 11. - | An Act for the Registration of Aliens . . . . . | |
| | In part; namely,— | |
| | Section ten, from "prosecuted within" to "offences shall be," and from "for any time" to "twenty pounds." | *Sup. as to S. by S. J. Acts,* 1864 *and* 1881. *Already repealed as to E.* |
| | Repealed except as to Ireland. | |
| 6 & 7 Will. 4. c. 37 - | An Act the title of which begins with the words "An Act to repeal" and ends with the words "Bread beyond the limits aforesaid." | |
| | In part; namely,— | |
| | Section eight, the words "nor less "than five pounds" and "for "any time not exceeding six "calendar months." | *Sup. as to S. by S. J. Acts,* 1864 *and* 1881. *Already repealed as to E.* |
| | Section nine, from "nor less than" to the end of the section. | |
| | Section twelve the words "nor less than forty shillings" and "for any time not exceeding six calendar months." | |
| | Section thirteen, from "nor less than ten" to the end of the section. | |
| | Section seventeen, from "(which warrant" to "recognizance or otherwise," and from "and the other moiety" to the end of the section. | |
| | Sections eighteen to twenty-three. | |
| | Section twenty-four, from "and where any" to the end of the section. | |
| | Section twenty-five, from "the person or" to the end of the section. | |
| | Section twenty-six. | |
| | Section twenty-seven, from "shall be recoverable" to "the whole penalties" and from "and it is hereby" to end of section. | |
| | Section twenty-eight. | |
| 6 & 7 Will. 4. c. 38. - | An Act the title of which begins with the words "An Act to amend an Act" and ends with the words "in Ireland." | |
| | In part; namely,— | |
| | Sections thirteen and fourteen. | *Obsolete since Irish Church Act,* 1869. |
| 6 & 7 Will. 4. c. 41. - | An Act to abolish the Commissary Court of Edinburgh, and to regulate the Mode of taking Proofs in Consistorial Causes in Scotland. | *Superseded by* 39 *&* 40 *Vict. c.* 70. *s.* 35. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Will. 4. c. 56. - | An Act for regulating the Process of Cessio Bonorum in the Court of Session, and for extending the Jurisdiction of Sheriffs in Scotland to such cases. | |
| | In part; namely,— | |
| | Section two. | *S.* 2 *sup.* 43 & 44 *Vict. c.* 34. *s.* 7. |
| | Section three, from "setting forth that" to "diligence, and" and from "and with such" to end of section. | *S.* 3 *as to part in col.* 2 *sup.* 39 & 40 *Vict. c.* 70. *s.* 26. |
| | Section fifteen. | *S.* 15 *sup.* 43 & 44 *Vict. c.* 34. *s.* 4. |
| | Section sixteen, from "by the inner" to "on the bills or." | *Ss.* 16, 17, 18, *as to parts in cols.* 2 *and* 19, *sup.* 39 & 40 *Vict. c.* 70. *s.* 26. |
| | Section seventeen, the words "either by the Court of Session or the sheriff." | |
| | Section eighteen, from "in cases before" to "before the Court of Session." | *S.* 20 *sup. by* 43 & 44 *Vict. c.* 34. *s.* 11. |
| | Sections nineteen and twenty. | |
| 6 & 7 Will. 4. c. 69. - | An Act to fix the Standard Qualities of Gold and Silver Plate in Scotland, and to provide for the assaying and marking thereof. | |
| | In part; namely,— | |
| | Section twenty-two, from "Provided always" to end of section. | *Virt. rep. by* 38 & 39 *Vict. c.* 62. *s.* 3. |
| 6 & 7 Will. 4. c. 71. - | An Act for the Commutation of Tithes in England and Wales. | |
| | In part; namely,— | |
| | Section seventy. | *Virt. rep. Tithe Act*, 1891, *s.* 6. |
| 6 & 7 Will. 4. c. 74. - | An Act to abolish certain offices connected with the Court of Chancery in Ireland, and to provide for the performance of the duties thereof. | |
| | In part; namely,— | |
| | Section two, to "hanaper" where that word first occurs; from "and so from" to "therein"; from "receive and be" to "shall." | *S.* 2 *as to part in col.* 2 *spent: superseded by J. A., G., O. April* 30, 1880, *and November* 22, 1884. |
| | Sections three and four. | *S.* 3 *rep. by J. A., s.* 73. |
| | Section six, to "of the Court"; from "the several" to "videlicet, two"; from "Lord Chancellor's" to "other the"; from "to them" to "be made"; from "Lord Chancellor" to "assistance of the"; and from "in manner" to end of section. | *S.* 4 *virt. rep.* 30 & 31 *Vict. c.* 129. *s.* 3. |
| | | *S.* 6 *as to part in col.* 2 *virt. rep.* 30 & 31 *Vict. c.* 129. *s.* 3, *and J. A., s.* 82, *Order of April* 3, 1880. |
| | Sections seven and eight. | *S.* 7 *sup. J. A.*, 1877. |
| | | *S.* 8 *falls with rep. of s.* 6. |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Will 4. c. 74.—*cont.* | Section eleven, the word "six" where it first occurs; from "and such" to "Lord Chancellor"; and from "and upon a vacancy" to end of section.<br>Section thirteen.<br>Section fourteen, to "mentioned and"; and from "on the happening" to "registrars."<br>Section seventeen.<br>Section thirty-three.<br>Schedules. | *Ss.* 11, 13, 14, *as to parts in col.* 2, *s.* 17, *and Schedules spent and superseded by J.A.*, 1877, *s.* 72. *and Order, December* 20, 1879.<br>*S.* 33 *superseded by* 30 *&* 31 *Vict. c.* 44. *ss.* 75, 81, *and J. A., s.* 74. |
| 6 & 7 Will. 4. c. 89. - | An Act to provide for the Attendance and Remuneration of Medical Witnesses at Coroners Inquests.<br>In part; namely,— | |
| | Section seven. | *Unnecessary since* 50 *&* 51 *Vict. c.* 71. *s.* 45. |
| 6 & 7 Will. 4. c. 97. - | An Act for continuing and making perpetual the duty on certain offices and pensions.<br>In part; namely,— | |
| | Section two. | *Rep. in general terms* 40 *&* 41 *Vict. c.* 10. *s.* 1. |
| 6 & 7 Will. 4. c. 116. - | An Act to consolidate and amend the laws relating to the Presentment of Public Moneys by Grand Juries in Ireland.<br>In part; namely,— | |
| | Section twenty-three, from "always that if no" to "provided further."<br>Section ninety.<br>Section one hundred and one from "save and except" to the end of the section.<br>Section one hundred and sixteen.<br>Section one hundred and twenty-nine.<br>Section one hundred and thirty, the words "together with such certificates to be obtained from the said surveyor," the words "and certificates," where they first and secondly occur, and the words | *S.* 23 *as to part in col.* 2 *virt. rep. by* 20 *&* 21 *Vict. c.* 15.<br>*S.* 90 *falls with repeal of* 58 *Geo.* 3. *c.* 47. *ss.* 10–15 *by* 29 *&* 30 *Vict. c.* 90. *s.* 69.<br>*S.* 101 *as to part in col.* 2 *virt. rep.* 9 *&* 10 *Vict. c.* 97. *s.* 2, *and* 17 *&* 18 *Vict. c.* 94. *s.* 1.<br>*Ss.* 116, 173 *superseded by* 41 *&* 42 *Vict. c.* 49. *ss.* 51, 80. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Will. 4. c. 116. —*cont.* | " or certificate" and " and certificate." | *S.* 129 *superseded by* 9 *&* 10 *Vict. c.* 2. *s.* 20. |
| | Sections one hundred and fifty-six to one hundred and sixty-one. | *S.* 130 *as to parts in col.* 2 *virt. rep. by* 7 *Will.* 4. *and* 1 *Vict. c.* 2. *s.* 2. |
| | Sections one hundred and sixty-three and one hundred and sixty-four. | |
| | Section one hundred and sixty-eight, the words "the chairman of Kilmainham or," " the city of," " respectively," and " chairman" where that word last occurs. | *Ss.* 156–161, 163, 164, *so far as unrepealed by* 13 *&* 14 *Vict. c.* 102. *s.* 60. *and S. L. R. A.*, 1874, *superseded by* 14 *&* 15 *Vict. c.* 92. |
| | Section one hundred and sixty-nine from " and all such " to " justice shall direct." | |
| | Section one hundred and seventy-three. | *S.* 168 *as to parts in col.* 2 *virt. rep.* 40 *&* 41 *Vict. c.* 56. *s.* 86. |
| | | *S.* 169 *as to part in col.* 2 *virt. rep.* 14 *&* 15 *Vict. c.* 90. *s.* 13. |
| 7 Will. 4. & 1 Vict. c. 32. | An Act to repeal the several Laws relating to the Post Office. | |
| | In part; namely,— | |
| | Schedule (B.) so far as it relates to the following Acts :—7 Geo. 3. c. 50.; 48 Geo. 3. c. 140.; 52 Geo. 3. c. 146.; 1 & 2 Will. 4. c. 33.; 2 Will. 4. c. 4.; 2 & 3 Will. 4. c. 86.; and 6 & 7 Will. 4. c. 116. | *The Acts in Sched.(B.) referred to in col.* 2, *so far as they relate to the P.O., are either rep. or proposed for repeal by this Bill.* |
| 7 Will. 4. & 1 Vict. c. 33. | An Act for the Management of the Post Office. | |
| | In part; namely,— | |
| | Sections three to six. | *Ss.* 3–6 *and* 8 *obsolete.* |
| | Section eight. | *S.* 11 *as to part in col.* 2 *spent.* |
| | Section eleven to " in force, and." | |
| | Section fifteen. | *S.* 15 *sup.* 17 *&* 18 *Vict. c.* 94. |
| | Section twenty, the words " or any three of them." | *S.* 20 *as to part in col.* 2 *sup.* 12 *&* 13 *Vict. c.* 89. |

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| Reign and Chapter | Title. | Remarks. |
|---|---|---|
| 7 Will. 4. & 1 Vict. c. 36. | An Act for consolidating the Laws relative to offences against the Post Office of the United Kingdom, and for regulating the Judicial Administration of the Post Office Laws, and for explaining certain Terms and Expressions employed in these Laws. | |
| | In part; namely,— | |
| | Section four, to "from his office, and." | *S.* 4 *as to part in col.* 2 *obsolete, franking being abolished.* |
| | Section eleven, except as to Ireland. | *Tolls abolished* 41 *&* 42 *Vict. c.* 51. *s.* 33. |
| | Section eighteen, except as to Ireland. | *S.* 11 *superseded by* 50 *&* 51 *Vict. c.* 35. *ss.* 7 *and* 71. |
| | Sections thirty-three to thirty-five. | *S.* 45 *and Sched. sup.* 47 *&* 48 *Vict. c.* 76. *s.* 12. |
| | Section forty-five and Schedule. | *Ss.* 11 *and* 45 *and Sched. already rep. as to E.* |
| | | *Ss.* 33, 34 *sup. by Forgery Act*, 1851. |
| | | *S.* 35 *sup.* 24 *&* 25 *Vict. c.* 94. |
| 7 Will. 4. & 1 Vict. c. 41. | An Act for the more effectual recovery of Small Debts in the Sheriff Courts, and for regulating the establishment of Circuit Courts for the trial of Small Debt Causes by the Sheriffs, in Scotland. | |
| | In part; namely,— | |
| | The words "or prosecution" in sections two, thirty-one, thirty-two, and thirty-five. | *Virt. rep. by S. J. Acts*, 1864 *and* 1881. |
| | Section two, the words "all prosecutions for statutory penalties as well as" and the words "or prosecutor." | |
| | Section three, the words "and prosecutions" and "or prosecutors." | |
| | Section twelve, from "and shall be recovered" to "under this Act." | |
| | Section fourteen, the words "and in prosecutions for statutory penalties." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 Will. 4. & 1 Vict. c. 41.—*cont.* | Schedule, Forms eight and nine. | |
| 7 Will. 4. & 1 Vict. c. 69. | An Act to amend an Act for the Commutation of Tithes in England and Wales.<br>In part; namely,— | |
| | Section eight. | *Virt. rep. Tithe Act*, 1891, *s.* 6. |
| 7 Will. 4. & 1 Vict. c. 84. | An Act to abolish the Punishment of Death in Cases of Forgery.<br>In part; namely,— | |
| | Section one, so far as relates to the punishment of offences formerly punishable under 2 & 3 Will. 4. c. 123. | *Not operative in Scotland.*<br>*Already repealed as to E. and I.* |
| | Section two. | |
| 1 & 2 Vict. c. 27. - | An Act to make more effectual provision for the Prevention of Offences by Insane Persons in Ireland.<br>In part; namely,— | |
| | Section one. | *Virt. rep.* 30 *&* 31 *Vict. c.* 118. *s.* 9. |
| | Section two, from "any person," where those words first occur, to "as aforesaid or." | |
| 3 & 4 Vict. c. 62. - | An Act the title of which begins with the words "An Act . . . to extend" and ends with the words "relating thereto."<br>Repealed as to all Her Majesty's dominions. | *Virt. rep.* 9 *&* 10 *Vict. c.* 103., 15 *&* 16 *Vict. c.* 72. *s.* 1. |
| 3 & 4 Vict. c. 96. - | The Post Office (Duties) Act, 1840.<br>In part; namely,— | |
| | Sections twenty-four to twenty-seven. | *Ss.* 24, 25, 27 *sup.* 33 *&* 34 *Vict. c.* 98. |
| | Sections forty-four and forty-five. | *Ss.* 26, 59 *sup.* 38 *&* 39 *Vict. c.* 22. |
| | Section fifty-six. | *Ss.* 44, 45 *sup.* 33 *&* 34 *Vict. c.* 79. *s.* 15, *and* 38 *&* 39 *Vict. c.* 22. *s.* 4. |
| | Section fifty-nine. | *S.* 56 *spent.* |
| | Section sixty-four. | *S.* 64 *obsolete.* |
| 3 & 4 Vict. c. 108. - | An Act for the Regulation of Municipal Corporations in Ireland.<br>In part; namely,— | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 3 & 4 Vict. c. 108.—*cont.* | Section eighty-one, from "or by the aldermen" to "particular ward."<br>Section eighty-two from "or by the alderman" to "council." | *Rep. in general terms* 42 *&* 43 *Vict. c.* 53. *s.* 3. |
| 5 & 6 Vict. c. 61. - | An Act to provide for the better Government of South Australia.<br>In part; namely,— | |
| | Sections five to eight, ten, eleven, and thirteen.<br>Repealed as to all Her Majesty's Dominions. | *Ss.* 5, 6, 11 *virt. rep.* 13 *&* 14 *Vict. c.* 59., *see ss.* 7, 8, 12, 17, *and South Australia Act*, 1855–6, *No.* 2.<br>*Ss.* 8, 10 *spent.*<br>*S.* 13 *falls with these repeals.* |
| 5 & 6 Vict. c. 106. - | An Act to regulate the Irish Fisheries.<br>In part; namely,— | |
| | Section one hundred and six. | *Superseded by* 13 *&* 14 *Vict. c.* 88. *s.* 47. |
| 6 & 7 Vict. c. 7. - | An Act to amend the Law affecting transported Convicts with respect to Pardons and Tickets of Leave.<br>In part; namely,— | |
| | Preamble.<br>The words "And be it enacted that" in sections two and five.<br>Section three, to "enacted that" and the word "such" before "ticket" where it first occurs.<br>Section four, the words "and be it declared and enacted." | *Unnecessary* |
| 6 & 7 Vict. c. 8. - | An Act the title of which begins with the words "An Act to empower" and ends with the word "chargeable."<br>In part; namely,— | |
| | To "same that." | *Unnecessary.* |
| 6 & 7 Vict. c. 12. - | An Act for the more convenient holding of Coroners Inquests.<br>In part; namely,— | |
| | Preamble and section one, to "same that."<br>Section two, to "enacted that."<br>Section three, to "enacted that." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 18. | An Act the title of which begins with the words "An Act to amend" and ends with the words "and Wales." | |
| | In part; namely,— | |
| | Preamble. | *Sch. A. rep. by Registration Act*, 1885, 48 *Vict. c.* 15. *ss.* 17, 18. |
| | The words "And be it enacted that" wherever they occur (except in section fifty-six) and the word "that" wherever it occurs with reference to the introductory words so repealed. | *As to instructions, precepts, notices, and forms, see Registration Order*, 1889, *and Local Gov. Act*, 1888, *s.* 76 (9). |
| | Section three, to "enacted that," from "according to the respective" to "annexed," the words "on or before the tenth day of June," and from "according to the form" to "Schedule (A)," and the words "and of the said Table." | *Sects.* 3, 10, *as to dates there mentioned rep. Regist. Act*, 1885, *ss.* 3 (2), 7. (1). |
| | Section four, from "according" where it first occurs to "Schedule (A)" and from "according" where it secondly occurs to the end of the section. | *Sects.* 21, 28, 77, 81 *as to Berwick virt. rep.* 48 *&* 49 *Vict. c.* 23. *s.* 2. |
| | Section five, from "according" to "Schedule (A)." | *Sects.* 28, 30 *as to Rev. Barristers virt. rep. by* 49 *&* 50 *Vict. c.* 42. *s.* 2 (4), *and Order in Council, August* 3, 1886, *under Rev. Barristers Act*, 1873, *Loc. Gov. Act*, 1888, *s.* 76 (4). |
| | Section seven, the words "according to "the form numbered (4) in the said "Schedule (A) or to the like effect" and the words "according to the "form numbered (5) in the said "Schedule (A) or to the like effect." | |
| | Section eight, from "according" to "Schedule (A)." | |
| | Section ten, to "enacted that," from "according" where it first occurs to "annexed," the words "on or before the tenth day of June," and from "according" where it secondly occurs to "Schedule (B)," and the words "and of the said Table." | *Sect.* 42 *as to statement virt. rep. by County Electors Act*, 1888, *s.* 6 (2). |
| | Section eleven, from "according" to "Schedule (B)." | *Sect.* 56 *as to Westminster virt. rep.* 48 *&* 49 *Vict. c.* 23. *s.* 12 (5). |
| | Section thirteen, from "according" where it first occurs to "annexed," and from "according" where it secondly occurs to "Schedule (B)." | *Sect.* 70 *as to part in col.* 2 *virt. rep. by* 41 *&* 42 *Vict. c.* 26. *s.* 28. |
| | Section fifteen, the words "according to "the form numbered (6) in the said "Schedule (B) or to the like effect;" and the words "(8) and." | *Sect.* 73 *virt. rep. by rep. of part of* 2 *&* 3 *Will.* 4. *c.* 45, *by Rep. of People Act*, 1884, *s.* 12. |
| | Section seventeen, from "according" where it first occurs to "like effect," and from "according" where it secondly occurs to "Schedule (B)" so far as relates to lists of voters made by overseers. | *Rest unnecessary.* |
| | Section eighteen, the words "according "to the form numbered (12) in the "said Schedule (B)." | |
| | Section twenty-one. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 18. —*cont.* | Section twenty-eight, the words "the city of Westminster" where they first occur, the words "and the town of Berwick-upon-Tweed," and from "and the said lord chief justice" to "South Wales circuit, six." | |
| | Section thirty. | |
| | Section forty-two, from "read the said" to "then and there." | |
| | Section fifty-six, the words "and be it enacted," the words "or Westminster," and from "and in regard to the city" to "said city." | |
| | Section seventy, to "seems meet." | |
| | Section seventy-three, except in so far as relates to the rights of persons saved by the Representation of the People Act, 1884. | |
| | Section seventy-four, to "declared and enacted that" and the word "that" wherever it occurs. | |
| | Section seventy-seven. | |
| | Section eighty-one, the words "or the town of Berwick-upon-Tweed." | |
| | Section eighty-five, to "enacted that." | |
| | Section ninety-three, to "enacted that." | |
| | Section one hundred and one, from "and the words barrister" to "serjeants-at-law." | |
| | Schedule B, Forms ten and eleven, so far as relates to overseers, and Forms one to four, six, eight, and twelve. | |
| 6 & 7 Vict. c. 20. | An Act for abolishing certain Offices on the Crown Side of the Court of Queen's Bench, and for regulating the Crown Office. | *Ss.* 6, 11, *which alone remain sup. by Jud. Acts, subject to savings in Bill.* |
| | Sections six and eleven, being all which remain unrepealed. | |
| 6 & 7 Vict. c. 23. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of such Tenure." | |
| | In part; namely,— | |
| | Preamble and section one, to "of the "same that" and the word "that" before "in addition." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in sections six and eight to ten. | |
| | The words "and be it enacted" in sections six and eight to ten. | |
| | Section thirteen, to "enacted that," and the words "as aforesaid." | |
| | Section fifteen, the word "that" before "the words." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 26. | An Act for regulating the Prison at Millbank. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 3. *as to part of Title of* 5 & 6 *Will.* 4. *c.* 38. *specified in col.* 2, *rep. by St. Law Rev. Act*, 1888. *As to* 5 & 6 *Vict. c.* 98. *that Act, exc. ss.* 3, 5, 6, 10, 12, 19, 32, *and* 33, *is rep.* |
| | Section two, to "enacted that" and the words "her heirs and successors." | |
| | Section three, to "this Act" and the words "and for appointing inspectors of prisons in Great Britain," and from "and of an Act," where those words last occur, to the end of the section. | |
| | The words "And be it enacted that" wherever they occur. | |
| | Section five, from "and the several persons" to "officers of the said Penitentiary House," and the words "commissioners of Her Majesty's" and "or at the said Penitentiary House." | *Sect.* 12, *as to part specified in col.* 2, *virt. rep. by* 40 & 41 *Vict. c.* 21. *ss.* 4, 57. *Rest spent or unnecessary.* |
| | Section twelve, from "and all reasonable" to the end of the section. | |
| | Section twenty-five, to "enacted that." | |
| 6 & 7 Vict. c. 30. | An Act to amend the Law relating to Pound-breach and Rescue in certain Cases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section two, the words "and be it enacted." | |
| | The words "And be it enacted that" in sections three and four. | |
| 6 & 7 Vict. c. 32. | An Act to amend the Laws in force relating to Grand Jury Presentments in Counties of Cities and Towns in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "from and after the passing of this Act." | |
| | The words "And be it enacted that" wherever they occur, except in section ten. | |
| | Section ten, the words "and be it enacted." | |
| | Section nineteen, to "enacted that" and the words "commissioners of Her Majesty's." | *Interp. Act*, 1889. |
| 6 & 7 Vict. c. 36. | An Act to exempt from County, Borough, Parochial, and other local Rates, Land and Buildings occupied by Scientific or Literary Societies. | |
| | In part; namely,— | |
| | Preamble. | *Spent or unnecessary.* |
| | Section one, to "forty-three." | |
| | The words "and be it enacted" wherever they occur | |
| | Section three, to "enacted that." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 37. | An Act to make better Provision for the Spiritual Care of populous Parishes.<br>In part; namely,— | |
| | Preamble. | *As to s. 25 see savings in Bill, para. 3. Rest unnecessary.* |
| | Section one, to "same that," the word "said" where it first and secondly occurs, and the words "for England" and "Most Reverend William Howley Lord." | |
| | The words "And be it enacted that" wherever they occur (except in sections five, eight, fourteen, and eighteen), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections five, eight, fourteen, and eighteen. | |
| | Section nine, the words "for England." | |
| | Section thirteen, to "enacted that." | |
| | Section twenty, to "enacted" and the word "that." | |
| | Section twenty-one, the words "and her successors." | |
| | Section twenty-two, to "enacted that" and the words "for England" and "and their successors" occurring twice. | |
| | Section twenty-four, to "enacted that." | |
| | Section twenty-five. | |
| 6 & 7 Vict. c. 38. | An Act to make further Regulations for facilitating the hearing Appeals and other Matters by the Judicial Committee of the Privy Council.<br>In part; namely,— | |
| | Preamble. | *Sect. 1 virt. rep. by 14 & 15 Vict. c. 83. s. 16.* |
| | Section one. | |
| | The words "And be it enacted that" wherever they occur. | *Rest unnecessary.* |
| | Section twelve, to "enacted that." | |
| | Section seventeen, the word "that" wherever it occurs. | |
| 6 & 7 Vict. c. 40. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of the Workmen engaged therein."<br>In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section twenty-four. | |
| | Section one, to "this Act." | |
| | Section twenty-one, to "enacted that." | |
| | The words "and be it enacted" in section twenty-four. | |
| | Section thirty-five, the word "that" wherever it occurs. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 42. | An Act to amend an Act of the Nineteenth and Twentieth Years of King George the Third, for empowering Grand Juries in Ireland to present Bridges, and Tolls to be paid for passing the same, in certain Cases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section two, to "enacted that." | |
| 6 & 7 Vict. c. 44. | An Act to amend the Acts for carrying on Public Works in Ireland. | *Spent. Repeal approved by Commissioners of Public Works* (I.) |
| 6 & 7 Vict. c. 54. | An Act the title of which begins with the words "An Act for extending," and ends with the words "said Act." | |
| | In part; namely,— | |
| | Preamble. | *Sects.* 1, 2 *obsolete since Irish Church Act.* |
| | Sections one and two. | |
| | Section three, to "enacted that" and the words "or by this Act," and the word "that" before "such right." | *Rest unnecessary.* |
| 6 & 7 Vict. c. 66. | An Act to enlarge the Provisions of an Act for preventing Frauds upon Creditors by secret Warrants of Attorney to confess Judgment. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "this Act." | |
| 6 & 7 Vict. c. 68. | An Act for regulating Theatres. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur except in sections ten and twenty-two. | |
| | The words "and be it enacted" in sections ten and twenty-two. | |
| | Section twenty-one, the words "her heirs and successors." | |
| 6 & 7 Vict. c. 73. | An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors practising in England and Wales. | |
| | In part; namely,— | |
| | Preamble. | *As to Sch. I. Part II.,* 3 *Hen.* 7. *c.* 1. *is rep. by St. Law Rev. Acts,* 1863, 1872, 52 *Geo.* 3. *c.* 63. *is rep. by* 7 *&* 8 *Geo.* 4. *c.* 27, 18 *Eliz. c.* 14. *is rep. by* 46 *&* 47 *Vict. c.* 49. *s.* 4, 1 *&* 2 *Vict. c.* 45. *is rep. by S. L. Rev.* (No. 2) *Act,* 1888, *the other Acts mentioned are rep.* |
| | The words "And be it enacted that" wherever they occur (except in sections six and forty-seven), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section one, to "Provided always that." | |
| | Section two, to "this Act," where those words first occur, and from "have been previously" to "passing of this Act" where those words last occur. | |
| | Section three, the words "from and after the passing of this Act." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 73. —*cont.* | Section five, to "enacted that." | *by* 42 *&* 43 *Vict. c.* 59. |
| | The words "and be it enacted" in sections six and forty-seven. | *Rest spent or unnecessary.* |
| | Section twenty-one, to "passing of this Act." | |
| | Section thirty-seven, to "passing of this Act," and from "Court of Common" to "Durham." | |
| | In the second part of the First Schedule the entries as to the following Acts:— | |
| | 20 Hen. III. c. 10. | |
| | 6 Edw. I. c. 8. | |
| | 13 Edw. I. c. 10. | |
| | 7 Rich. II. c. 14. | |
| | 7 Hen. IV. c. 13. | |
| | 3 Hen. VII. c. 1. | |
| | 18 Eliz. c. 14. | |
| | 29 Eliz. c. 5. | |
| | 31 Eliz. c. 10. | |
| | 52 Geo. III. c. 63. | |
| | 1 & 2 Vict. c. 45. | |
| 6 & 7 Vict. c. 77. | An Act for regulating the Cathedral Churches of Wales. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 11 *spent, rest unnecessary.* |
| | Section one, to "Act" and the word "said" before "dioceses." | |
| | Section two, to "enacted" and the word "that." | |
| | Section three, the words "and be it enacted." | |
| | Section four, to "enacted that," and the word "that" where it subsequently occurs. | |
| | Section six, to "enacted that" and the word "that" where it subsequently occurs. | |
| | Section eleven. | |
| | The words "And be it enacted that" in sections seven, eleven, twelve, and fourteen. | |
| | Section thirteen, the words "And be it enacted" and the word "that" before "so soon as" and before "if after." | |
| 6 & 7 Vict. c. 79. | An Act the title of which begins with the words "An Act to carry," and ends with the words "and France." | |
| | In part; namely,— | |
| | The words "And be it enacted that," wherever they occur, and the word "that," wherever it occurs with reference to the introductory words so repealed. | *The Act is rep. by* 31 *&* 32 *Vict. c.* 45. *s.* 71, *but revived in part by* 40 *&* 41 *Vict. c.* 42. *s.* 15, *and see* 46 *&* 47 *Vict. c.* 22. |
| | Section six, to "enacted that." | |
| | Section eight, to "repealed; and that," and the word "that" before "the numbers." | *Sect.* 19 *unnecessary.* |
| | Section seventeen, from "to be next holden" to "court awarded." | |
| | Section nineteen. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 82. | An Act the title of which begins with the words "An Act for extending," and ends with the words "Examination of Witnesses." | |
| | In part; namely,— | |
| | Title from "for extending" to "affidavits; and." | *Title as to part in col. 2 and preamble refers only to repealed sections.* |
| | Preamble. | |
| | Section six, to "enacted that." | |
| | Section seven, the words "and be it enacted." | *Rest unnecessary.* |
| 6 & 7 Vict. c. 85. | An Act for improving the Law of Evidence. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that" and the word "that" before "every." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| 6 & 7 Vict. c. 86. | An Act for regulating Hackney and Stage Carriages in and near London. | |
| | In part; namely,— | |
| | Preamble. | *Part of title of 1 & 2 Will. 4. c. 22. in sect. 3 is rep.; rest unnecessary.* |
| | The words "And be it enacted that" wherever they occur (except in section twenty-three) and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section three, from "and to place" to "stamps." | |
| | Section twenty-three, the words "and be it enacted." | |
| 6 & 7 Vict. c. 90. | An Act for removing Doubts as to the Service of Clerks or Apprentices to Public Notaries, and for amending the Laws regulating the Admission of Public Notaries. | |
| | In part; namely,— | |
| | Preamble. | *Spent or unnecessary.* |
| | Section one, to "from and after the passing of this Act" and the word "that" before "no person." | |
| | The words "and be it enacted" in sections two, five, and six. | |
| | Section three, to "from and after the passing of this Act." | |
| | The words "And be it enacted that" in sections four, eight, and nine. | |
| | Section seven, to "passing of this Act." | |
| | Section eight, the word "that" before "all oaths." | |
| | Section ten, to "passing of this Act," and the word "that" before "save so far." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 91. | An Act to consolidate and amend the Laws for the Regulation of Charitable Loan Societies in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Sects.* 47–52 *and part of sect.* 53 *specified in col.* 2. *virt. rep. by* 11 *&* 12 *Vict. c.* 115. *s.* 1, *and see* 37 *&* 38 *Vict. c.* 86. |
| | The words, "And be it enacted that" wherever they occur and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section four, the words "Commissioners of Her Majesty's" occurring twice, from "of the United" to "of them" where those words next occur, and the words "or any three or more of them" where they last occur. | |
| | Sections forty-seven to fifty-two. | |
| | Section fifty-three, the words "after the passing of this Act" and from "or if the managers" to "Institution," where that word secondly occurs. | |
| | Section sixty-two, from "the words" to "being and." | |
| 6 & 7 Vict. c. 92. | An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that" and the words "after the passing of this Act" where they secondly occur. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section eight, to "enacted that." | |
| | Section ten, to "enacted" and the word "that" before "it shall be," before "hereafter the clerk" and before "after such clerk." | |
| | Section twenty-one, to "enacted that." | |
| | Section twenty-six, to "enacted that." | |
| 6 & 7 Vict. c. 93. | An Act to amend an Act of the Third and Fourth Years of Her present Majesty for the Regulation of Municipal Corporations in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Preamble unnecessary, having regard to repeal of sect.* 1. *by St. Law Rev. Act,* 1874 (*No.* 2). |
| | The words "And be it enacted that" wherever they occur (except in section six) and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest spent or unnecessary.* |
| | Section three, the words "her heirs and successors." | |
| | Section four, to "enacted that" and the words "after the passing of this Act" wherever they occur. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 6 & 7 Vict. c. 93. —*cont.* | Section five, to "passing of this Act."<br>Section six, the words "and be it enacted." | |
| | Section seven, the words "Commissioners of Her Majesty's" and "or any three of them." | *Interp. Act* 1889. |
| | Section eight, the words "Commissioners of Her Majesty's" where they first occur, the words "said Commissioners of Her Majesty's" occurring twice, and "or of any three of them." | |
| | Section nine, to "therefore enacted that."<br>Section thirteen, the words "after the passing of this Act." | |
| | Section seventeen, to "passing of this Act."<br>Section eighteen, to "enacted that."<br>Section twenty-two, to "enacted that." | |
| | Section twenty-five, to "passing of this Act." | |
| | Section twenty-six, to "therefore enacted that," the word "said" before "borough," from "that from and" to "Act" where it next occurs, the word "that" before "the said," and the words "Her heirs and successors." | |
| | Section twenty-eight, to "Be it enacted that." | |
| 6 & 7 Vict. c. 96. | An Act to amend the Law respecting defamatory Words and Libel.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| 6 & 7 Vict. c 98. | An Act for the more effectual Suppression of the Slave Trade.<br>In part; namely,— | |
| | Preamble to "declared unlawful: And" and section one, to "same that," | *Sects.* 2, 5, *and* 6 *spent, and see savings.* |
| | Section two. | *Rest unnecessary.* |
| | Section four, to "enacted that."<br>Section five.<br>Section six.<br>Repealed as to all Her Majesty's Dominions. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 2. | An Act for the more speedy Trial of Offences committed on the High Seas.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur.<br>Section four, the words "and be it declared and enacted." | *Unnecessary.* |
| 7 & 8 Vict. c. 12. | An Act to amend the Law relating to International Copyright.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted that" wherever they occur, except in sections six, seven, and twelve.<br>The words "and be it enacted" in sections six, seven, and twelve.<br>Section thirteen, the word "that" before "the times."<br>Section twenty, from "and the expression Her Majesty" to "Majesty" where it next occurs. | *Unnecessary.* |
| 7 & 8 Vict. c. 19. | An Act for regulating the Bailiffs of Inferior Courts.<br>In part; namely,—<br>The words "And be it enacted that" wherever they occur.<br>Section one, from "For remedy thereof" to "the same that."<br>Section four. | *S.* 4, *sup.* 7 & 8 *Vict. c.* 96. *s.* 65.<br>*Rest unnecessary.* |
| 7 & 8 Vict. c. 22. | An Act to amend the Laws now in force for preventing Frauds and Abuses in the marking of Gold and Silver Wares in England.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted that" wherever they occur, except in sections four and six.<br>The words "and be it enacted" in sections four and six.<br>Section seven, to "enacted that."<br>Section ten, the words "of debt, bill, plaint."<br>Section fourteen, from "and the term Her Majesty" to "successors."<br>Section fifteen, to "forty-four." | *Preamble unnecessary, having regard to repeal of sect.* 1 *by St. Law Rev. Act,* 1874 (*No.* 2).<br>*Rest unnecessary.* |
| 7 & 8 Vict. c. 24. | An Act for abolishing the Offences of forestalling, regrating, and engrossing, and for repealing certain Statutes passed in restraint of Trade. | *Spent or obsolete.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 25. | An Act to repeal the Duty of Excise on Vinegar, and to make the Duties and Drawbacks now payable on Flint Glass the same as on Bottle Glass. | |
| | In part; namely,— | |
| | Title, from "and to make" to the end of the title. | *Title as to part specified in col. 2 unnecessary, having regard to parts of Act already repealed.* |
| | The words "and be it enacted" in sections three and four. | *Rest unnecessary.* |
| 7 & 8 Vict. c. 29. | An Act to extend an Act of the Ninth Year of King George the Fourth, for the more effectual Prevention of Persons going armed by Night for the Destruction of Game." | |
| | In part; namely,— | |
| | Preamble and section one, to "from and after the passing of this Act." | *Spent.* |
| 7 & 8 Vict. c. 32. | An Act to regulate the Issue of Bank Notes, and for giving to the Governor and Company of the Bank of England certain Privileges for a limited Period. | |
| | In part; namely,— | |
| | Title, the words, "the Governor and Company of." | *Unnecessary.* |
| | Preamble and section one, to "forty-four." | |
| | Section two, to "forty-four." | |
| | Section three, to "enacted that." | |
| | The words "And be it enacted that," wherever they occur, except in sections five and fourteen. | |
| | The words "and be it enacted" in sections five and fourteen. | |
| | Section four, to "and forty-four." | |
| | Section seven, to "company of," and the word "thenceforth." | |
| | Section ten, to "Act." | |
| | Section eleven, to "Act." | |
| | Section twelve, the words "after the passing of this Act" and "the governor and company of." | |
| | Section thirteen, from "after the tenth" to "forty-four." | |
| | Section eighteen, from "after the tenth" to "forty-four" where it next occurs, and from "after the nineteenth" to "forty-four." | |
| | Section twenty, to "enacted that," and the words "commissioners of Her Majesty's." | |
| | Section twenty-three, to "enacted that," and the words "the governor and company of" where they last occur. | |
| | Section twenty-six, to "this Act." | |
| | Section twenty-seven, the words "the said governor and company of" where they first and secondly occur, and from "to be given" to "fifty-five." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 32. —*cont.* | Section twenty-eight, the word "that" wherever it occurs, and the words "the governor and company of" wherever they occur.<br>Schedule C., the words "the Governor and Company of." | |
| 7 & 8 Vict. c. 33. | An Act for facilitating the Collection of County Rates, and for relieving High Constables from Attendance at Quarter Sessions in certain Cases, and from certain other Duties.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur.<br>Section seven, to "Act."<br>Section eight, to "enacted that." | |
| 7 & 8 Vict. c. 37. | An Act the title of which begins with the words "An Act to secure" and ends with the words "Sites for Schools."<br>In part; namely,— | |
| | Preamble and section one, to "same that," and the words "and her successors." | *Unnecessary.* |
| | Section two, to "enacted that," and the words "and her successors" occurring twice.<br>Section three, to "Be it enacted that."<br>Section five, to "enacted that." | |
| 7 & 8 Vict. c. 38. | An Act to amend an Act of the last Session to consolidate and amend the Laws for the Regulation of Charitable Loan Societies in Ireland. | *Virt. rep. by* 11 *&* 12 *Vict. c.* 115. *s.* 1, *and see* 37 *&* 38 *Vict. c.* 86. |
| 7 & 8 Vict. c. 44. | An Act to facilitate the disjoining or dividing of extensive or populous Parishes, and the erecting of new Parishes, in that Part of the United Kingdom called Scotland.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Sect.* 5 *as to part in col.* 2 *virt. rep. by* 37 *&* 38 *Vict. c.* 82. |
| | The words "And be it enacted that," wherever they occur.<br>Section two, to "declared that." | *Rest unnecessary.* |
| | Section five, from "the patronage" where those words first occur to "shall "not bear the burden of not less than "one half of the stipend to be pro- "vided to the minister of the new "parish." | |
| | Section fifteen, the words, "her heirs and successors." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 45. | An Act for the Regulation of Suits relating to Meeting Houses and other Property held for religious Purposes by Persons dissenting from the United Church of England and Ireland. | |
| | In part; namely,— | |
| | Preamble to "in Ireland: And." | *Unnecessary.* |
| | Section two, to "enacted that." | |
| 7 & 8 Vict. c. 47. | An Act to amend and continue for Five Years, and to the End of the next Session of Parliament, certain Acts relating to Linen, Hempen, and other Manufactures in Ireland. | |
| | In part; namely,— | |
| | Title, from "and continue" to "Parliament." | *As to part of title in col. 2 unnecessary, having regard to repeal of s. 1 by St. Law Rev. Act, 1874 (No. 2).* |
| | Preamble. | |
| | Section two, to "enacted that" and the word "said" before "first." | |
| | Section three, to "from and after the passing of this Act." | *Rest unnecessary, and see savings.* |
| | Section four. | |
| | Section five, to "enacted that." | |
| 7 & 8 Vict. c. 49. | An Act for the better Regulation of Colonial Posts. | |
| | In part; namely,— | |
| | Preamble. | *Sects. 3, 4, sup. 38 & 39 Vict. c. 22. ss. 1, 9.* |
| | Section two, to "declared that" and the words "for the time being." | |
| | Sections three to five. | *S. 5 obsolete.* |
| | The words "And be it enacted that" in sections nine and ten. | *Rest spent or unnecessary.* |
| | Section nine, the words "commissioners of Her Majesty's," "after the passing of this Act," and "under their hands." | |
| | Section ten, the word "that" before "the several." | |
| 7 & 8 Vict. c. 52. | An Act to extend the Powers of the Act for the Appointment and Payment of Parish Constables. | |
| | In part; namely,— | |
| | Preamble. | *Spent or unnecessary.* |
| | Section one, to "after the passing of this Act." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 55. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of such Tenure." | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section five, the word "that" before "it shall be lawful." | |
| | Section eight, the word "that" before "all proceedings." | |
| 7 & 8 Vict. c. 56. | An Act concerning Banns and Marriages in certain District Churches or Chapels. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section two, the word "that" before "all banns." | |
| 7 & 8 Vict. c. 59. | An Act for better regulating the Offices of Lecturers and Parish Clerks. | |
| | In part; namely,— | |
| | Preamble from "And whereas" to end of preamble. | *Unnecessary or spent.* |
| | Section one, to "from and after the passing of this Act" and from "provided that" to the end of the section. | |
| | The words "And be it enacted that" in sections two, five, and six. | |
| | Section two, the words "after the passing of this Act." | |
| | The words "and be it enacted" in sections three and four. | |
| 7 & 8 Vict. c. 61. | An Act to annex detached Parts of Counties to the Counties in which they are situated. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 1 *virt. rep. by Loc. Gov. Act*, 1888, *s.* 59 (2). |
| | Section one. | |
| | The words "And be it enacted that" in sections two and three. | *Rest unnecessary.* |
| | The words "and be it enacted" in sections four, five, and seven. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 68. | An Act the title of which begins with the words "An Act to suspend" and ends with the words "of such Jurisdictions." | |
| | In part; namely,— | |
| | Title, from "until" to "forty-seven." | *As to part of title in col. 2 unnecessary, having regard to repeal of parts of the Act.* |
| | The words "And be it enacted that" wherever they occur. | *Rest unnecessary.* |
| 7 & 8 Vict. c. 69. | An Act the title of which begins with the words "An Act for amending" and ends with the words "Jurisdiction and Powers." | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section eight. | |
| | Section eight, the words "and be it enacted." | |
| | Section nine, the word "that" before "the said judicial." | |
| 7 & 8 Vict. c. 71. | An Act for the better Administration of Criminal Justice in Middlesex. | |
| | In part; namely,— | |
| | Preamble. | *Sects. 1–5, 11, virt. rep. Loc. Gov. Act, 1888, ss. 42 (11), 116, 117.* |
| | The whole Act, except sections eight and nine. | |
| | The words "And be it enacted that" in sections eight and nine. | *Sect. 13, 14, virt. rep. Loc. Gov. Act, s. 2 (1) (4).* |
| | Section eight, the words "her heirs and successors," and "sergeant or." | *Sect. 15 virt. rep. by 40 & 41 Vict. c. 21. ss. 5, 48.* |
| | | *Sect. 16 superseded by 40 & 41 Vict. c. 21. ss. 25, 27.* |
| 7 & 8 Vict. c. 74. | An Act to explain and amend the Act for the Government of New South Wales and Van Diemen's Land. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section six, to "enacted that." | |
| | Repealed as to all Her Majesty's dominions. | |
| 7 & 8 Vict. c. 81. | An Act for Marriages in Ireland; and for registering such Marriages. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 81.—*cont.* | The words "And be it enacted that" wherever they occur (except in sections twenty, thirty-eight, seventy-six, and eighty-one), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections twenty, thirty-eight, seventy-six, and eighty-one. | |
| | Section thirty-three, to "enacted that." | |
| | Section forty-one, from "within" where it first occurs to "March and also" and the word "succeeding." | |
| | Section forty-five, from "after the said" to "March" respectively occurring twice. | |
| | Section fifty-three, from "lord high" to "Majesty's" and the words "or any three of them." | *Interp. Act*, 1889. |
| | Section fifty-four, from "said lord" to "Majesty's." | |
| | Section sixty-five, from "the first" to "that time." | |
| | Section sixty-six, from "the first" to "that time." | |
| | Section seventy-two, the words "after the said thirty-first day of March." | |
| 7 & 8 Vict. c. 83. | An Act to amend the Laws relating to Savings Banks, and to the Purchase of Government Annuities through the Medium of Savings Banks. | |
| | In part; namely,— | |
| | Title from "and to" to the end of the title. | *Title as to part in col. 2 unnecessary, having regard to 16 & 17 Vict. c. 45. s. 1.* |
| | Preamble. | |
| | Section one, to "cease and that" and the words "that from and after the said twentieth day of November" where they secondly occur. | *The whole Act is rep. by 26 & 27 Vict. c. 87. s. 1., but with a saving in s. 68. so far as relates to Post Office Savings Banks and certain powers of the National Debt Commissioners.* |
| | The whole Act except sections one, fourteen, and fifteen. | |
| | The words "And be it enacted that" in sections fourteen and fifteen. | *Sects. 3, 5, 7, 10, 11, 20 rep. 50 & 51 Vict. c. 40. s. 11.* |
| | | *Sects. 4, 12 obsolete.* |
| | | *Sects. 9, 19 do not apply to Post Office Savings Banks.* |
| | | *Sect. 22 superseded, 50 & 51 Vict. c. 40. s. 13.* |
| | | *Rest unnecessary.* |
| | | *As to ss. 14, 15 see 39 & 40 Vict. c. 52.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 84. | An Act for regulating the Construction and the Use of Buildings in the Metropolis and its Neighbourhood. | |
| | In part; namely,— | |
| | The words "and be it enacted" in sections fifty-six, fifty-eight, and sixty-three. | *Sect. 59 virt. rep. L.G. Act*, 1888, *s.* 42. *Rest unnecessary.* |
| | Section fifty-four, to "enacted" and the word "that" except where it first and last occurs, the word "newly," and from "and that if any such business be now" to "in such situations." | |
| | Section fifty-five, to "enacted" and the word "that" except where it first and last occurs. | |
| | Section fifty-seven, to "enacted" and the word "that" wherever it occurs. | |
| | Section fifty-nine. | |
| | Section sixty, the words "and be it declared." | |
| | Section sixty-one, to "enacted" and the word "that" where it first and last occurs. | |
| | Section sixty-two, to "enacted" and the word "that" before "if her Majesty" and before "if such rate." | |
| 7 & 8 Vict. c. 85. | An Act to attach certain Conditions to the Construction of future Railways authorised or to be authorised by any Act of the present or succeeding Sessions of Parliament; and for other Purposes in relation to Railways. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur except in sections three, eight, and eighteen. | |
| | The words "and be it enacted" in sections three, eight, and eighteen. | |
| | Section six, to "enacted that." | |
| | Section eleven, to "enacted that." | |
| | Section thirteen, to "enacted that." | |
| | Section nineteen, to "this Act." | |
| | Section twenty-five, the word "that" before "where a." | |
| 7 & 8 Vict. c. 86. | An Act the title of which begins with the words "An Act for the Relief" and ends with the words "in certain Cases." | |
| | In part; namely,— | |
| | Title from "who have" to "their Contracts" and the words "to the Enrolment of such Contracts and." | *As to part of Title specified in col. 2 unnecessary, having regard to repeal of the whole Act except sect. 4.* |
| | Section four, to "enacted that." | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 87. | An Act to amend the Law for regulating Places kept for slaughtering Horses. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that" and the words "after the passing of this Act." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section nine, the word "that" before "every such witness." | |
| 7 & 8 Vict. c. 89. | An Act for auditing the Accounts of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that" and the word "said" where it first occurs. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section two, the words "commissioners of Her Majesty's." | *Interp. Act*, 1889. |
| 7 & 8 Vict. c. 90. | An Act the title of which begins with the words "An Act for the Protection" and ends with the words "Limitation of Actions." | |
| | In part; namely,— | |
| | Preamble. | *As to fees, rep. in general terms by* 13 *&* 14 *Vict. c.* 74. *ss.* 3, 7. |
| | The words "And be it enacted that" wherever they occur (except in sections seven to nine and fifteen) and the word "that" wherever it occurs with reference to the introductory words so repealed. | *As to assistant clerks, rep.* 34 *&* 35 *Vict. c.* 72. *s.* 1. |
| | The words "and be it enacted" in sections seven to nine and fifteen. | *The office of Registrar of Judgments is transferred to the Supreme Court,* 40 *&* 41 *Vict. c.* 57. *See ss.* 72, 73. |
| | Section one, to "same that" and the words "for the charge of three shillings or of one shilling," and the word "that" before "from and" before "all books," before "upon the" before "such books" and before "all judgments." | *Sect.* 3, *part of title of* 3 *&* 4 *Vict. c.* 105. *rep. St. Law Rev.* (*No.* 2) *Act*, 1888. |
| | Section two, from "and such officer" to the end of the section. | *Sect.* 7 *virt. rep. by* 13 *&* 14 *Vict. c.* 29. *ss.* 3, 4. |
| | Section three, from "for abolishing" to "cases, and" from "from and after" to "forty-four" where it first occurs and the words "for the charge of three shillings or of one shilling." | *Ss.* 34, 35, 40 *rep.* 37 *&* 38 *Vict. c.* 96. (*S.L.R.*); *ss.* 36–38 *rep.* 20 *&* 21 *Vict. c.* 60. *s.* 2. *S.* 39 *spent.* |
| | Section four, from "and such officer" to the end of the section. | |
| | Section seven. | |
| | Section ten, to "forty-four" from "and such officer" to "sixpence," and the words "and the fee payable to the officer thereon." | *Rest unnecessary or spent.* |
| | Section eleven to "forty-four" the words "her heirs or successors" wherever they occur, from "and such officer" to "sixpence," and from "on payment" to the end of the section. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 90.—*cont.* | Section twelve, the word "that" before "said book" and before "all persons," and from "and no additional" to the end of the section. | |
| | Section thirteen, from "and shall" to the end of the section. | |
| | Section fourteen, to "enacted that," the words "commissioners of Her Majesty's," "her heirs or successors," and "under their hands," and from "of the United" to "three of them." | *Interp. Act*, 1889. |
| | Section fifteen, the words "her heirs or successors." | |
| | Section seventeen, to "forty-five." | |
| | Section twenty-one, from "and shall for that" to the end of the section. | |
| | Section twenty-two, to "forty-four; and," and from "and to receive" to "of the said registrar," the words "and clerks," and from "and any expense" to the end of the section. | |
| | Sections twenty-three to twenty-nine. | |
| | Section thirty, the words "or any assistant clerk" "or assistant clerk" and "or clerk." | |
| | Section thirty-two, to "of this Act," the words "and clerks," from "or assistant" to "of them," and the words "or clerk." | |
| | Section thirty-three, the words "after the passing of this Act," "or clerk" where they first and last occur, and "or clerks or any of them." | |
| | Sections thirty-four to forty. | |
| 7 & 8 Vict. c. 91. | An Act to consolidate and amend the Laws relating to Turnpike Trusts in South Wales. | |
| | In part; namely,— | |
| | The whole Act, except sections one hundred and six, one hundred and seven, one hundred and nine, one hundred and ten to one hundred and twelve, and one hundred and fourteen. | *Virt. rep. Loc. Gov. Act*, 1888, *s.* 13. |
| 7 & 8 Vict. c. 92. | An Act to amend the Law respecting the office of County Coroner. | |
| | In part; namely,— | |
| | Preamble. | *Sects.* 4, 5, 19, 20, 28, *as to parts in col.* 2 *and s.* 7 *virt. rep. or sup. by Loc. Gov. Act.* 1888, *ss.* 3 (11), 5, *and* 46. |
| | The words "And be it enacted that" wherever they occur. | |
| | Section four, from "and to determine" to "herein-after provided." | |
| | Section five, the words "shall be elected to, and" and the word "so." | |
| | Section seven. | *Sect.* 27 *as to parts in col.* 2 *virt. rep.* 23 & 24 *Vict. c.* 116, *s.* 7, *and Coroners Act*, *s.* 38. |
| | Section nineteen, from "and may be" to "at large" where those words next occur, and from "by the freeholders" to the end of the section. | *Rest unnecessary.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 92.—*cont.* | Section twenty, the words "or elected by the electors of" and the words "or elected" twice occurring. | |
| | Section twenty-seven, the words "the county of Chester, or" and "county palatine." | |
| | Section twenty-eight, from "and that" to the end of the section. | |
| | Section twenty-nine. | |
| 7 & 8 Vict. c. 94. | An Act to explain and amend an Act for making better Provision for the Spiritual Care of populous Parishes. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it declared and enacted that" wherever they occur. | |
| | Section three, the words "and be it enacted." | |
| | Section six, the words "for England." | |
| | Section eleven, to "enacted that." | |
| 7 & 8 Vict. c. 95. | An Act to amend an Act of the Ninth Year of King George the Fourth, for the Preservation of the Salmon Fisheries in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| 7 & 8 Vict. c. 96. | An Act to amend the Law of Insolvency, Bankruptcy, and Execution. | |
| | In part; namely,— | |
| | Title, the words "Insolvency, Bankruptcy, and." | *As to part of title in col. 2, unnecessary, having regard to repealed portions of the Act.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section sixty-eight, the words "or in the Court of Common Pleas at Lancaster." | *As to portions of ss. 68, 72 in col. 2, virt. rep. by Judicature Act, 1873, s. 16.* |
| | Section seventy-two, the words "or of "the Court of Common Pleas at Lan- "caster." | |
| | | *Rest unnecessary.* |
| 7 & 8 Vict. c. 97. | An Act for the more effectual Application of Charitable Donations and Bequests in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Sects. 8, 19 virt. rep. 30 & 31 Vict. c. 54. ss. 1, 19, 20, 24.* |
| | The words "And be it enacted that" wherever they occur (except in section six), and the word "that" wherever it occurs with reference to the introductory words so repealed. | *As to sects. 7 & 14, see Interp. Act, 1889.* |
| | | *Rest unnecessary or spent.* |
| | Section six, the words "and be it enacted." | |
| | Section seven, from "or other" to "Ireland" and the words "commissioners of Her Majesty's" and "said commissioners of Her Majesty's." | |
| | Section eight. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 97.—*cont.* | Section fourteen the words "commissioners of Her Majesty's" and "the said commissioners of." | |
| | Section nineteen, | |
| | Section twenty, the words "from and after the commencement of this Act." | |
| 7 & 8 Vict. c. 101. | An Act for the further Amendment of the Laws relating to the Poor in England. | |
| | In part; namely,— | |
| | Preamble. | *As to part of sect.* 74 *in col.* 2, *unnecessary, having regard to repeal of parts of title of* 5 & 6 *Vict. c.* 57, *by Stat. Law Rev. Act,* 1888. |
| | The words "And be it enacted that" wherever they occur (except in sections thirty-six and sixty-five), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections thirty-six and sixty-five. | *Rest unnecessary.* |
| | Section six, to "enacted that." | |
| | Section seven, to "enacted," and the word "that" before "after the death." | |
| | Section thirteen, to "this Act." | |
| | Section fourteen, to "enacted that." | |
| | Section seventeen, to "enacted that" and the word "said." | |
| | Section twenty-two, to "Act" where it first occurs. | |
| | Section thirty-one, to "enacted that." | |
| | Section forty-one, to "enacted that." | |
| | Section sixty-one, to "Be it enacted that." | |
| | Section sixty-six, to "enacted that." | |
| | Section seventy-four, from "to continue" to "commission; and." | |
| 7 & 8 Vict. c. 106. | An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of Dublin. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 50 *virt. rep. by* 41 & 42 *Vict. c.* 49. *ss.* 40, 78, 86. |
| | The words "And be it enacted that" wherever they occur (except in sections eleven, thirty-two, sixty-six, one hundred and twenty-four, one hundred and twenty-seven, and one hundred and forty-four), and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Sect.* 130 *virt. rep. by* 41 & 42 *Vict. c.* 49. *ss.* 43, 86, *and Part V.* *Rest spent or unnecessary.* |
| | The words "and be it enacted" in sections eleven, thirty-two, sixty-six, one hundred and twenty-four, one hundred and twenty-seven, and one hundred and forty-four. | |
| | Section five, from "after" to "forty-five." | |
| | Section seven, the words "of Ireland" and from "at the next" to "Act, or" and the word "succeeding." | |
| | Section nine, the words "of Ireland." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 106. —*cont.* | Section twenty-six, the words "of Ireland" "or other chief governor or governors" and "Commissioners of Her Majesty's" and from "of the United" to "Ireland." | |
| | Section twenty-seven, the words "of Ireland." | |
| | Section twenty-nine, the words "of Ireland." | |
| | Section thirty, the words "of Ireland." | |
| | Section thirty-six, the words "said Commissioners of Her Majesty's" and "or any three or more of them." | |
| | Section thirty-seven, the words "of Ireland," "of the Lord Lieutenant for the "time being," "Commissioners of Her Majesty's," and "or any three or more of them." | |
| | Section thirty-eight, from "or other" where first occurring to "time being," the words "or they," and the words "or other chief governor or governors," where they last occur. | |
| | Section forty-five, from "from and after" to "forty-five." | |
| | Section fifty. | |
| | Section sixty-two, to "enacted that" the words "for the time being" and and from "or other" to "Ireland." | |
| | Section sixty-five, the words "Commissioners of Her Majesty's" and "or any three or more of them." | |
| | Section sixty-eight, from "at the Michaelmas" to "Act, and" and the word "succeeding." | |
| | Section sixty-nine, to "enacted that" from "at Michaelmas" to "this Act, and" and the word "succeeding." | |
| | Section seventy, from "after the first" to "except the first." | |
| | Section eighty-one, to "enacted that." | |
| | Section eighty-eight, the words "her heirs and successors." | |
| | Section one hundred and ten, the words "at any time after the first day of "January one thousand eight hundred "and forty-five" wherever they occur. | |
| | Section one hundred and eighteen, the words "be it further enacted that" and the word "that" before "the grand jury." | |
| | Section one hundred and twenty the words "from and after the passing of this Act," and from "lord high" to "Majesty's" and the words "or any three of them." | |
| | Section one hundred and twenty-one, the words "or other chief governor or governors of Ireland." | |
| | Section one hundred and twenty-two, to "commencement of this Act." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 7 & 8 Vict. c. 106. —*cont.* | Section one hundred and twenty-nine, to "that hereafter." | |
| | Section one hundred and thirty. | |
| | Section one hundred and fifty-four to "enacted that." | |
| | Section one hundred and fifty-six, from "the words lord" to "time being; and." | |
| 7 & 8 Vict. c. 107. | An Act to regulate and reduce the Expences of the Offices attached to the Superior Courts of Law in Ireland payable out of the Consolidated Fund. | |
| | In part, namely,— | |
| | Preamble. | *Sect.* 6 *part of title of* 3 & 4 *Vict. c.* 105. *is rep. by St. Law Rev.* (*No.* 2) *Act*, 1888. |
| | The words "And be it enacted that" wherever they occur, except in section thirty-three, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest spent or unnecessary.* |
| | Section three, to "forty-four." | |
| | Section six, the words "after the passing of this Act," and from "for abolishing" to "cases." | |
| | Section seven, from "or other" to "time being." | |
| | Section nine, to "Act." | |
| | Section ten, to "the commencement of this Act," and the word "that" before "when." | |
| | Section fifteen, to "forty-four" and the words "the said governor and company of" occurring twice. | |
| | Section nineteen, the words "the said commissioners of." | |
| | Section twenty-four, to "Act." | |
| | Section twenty-five to "enacted that" and the word "that." | |
| | Section thirty-one the words "after the passing of this Act." | |
| | Section thirty-two to "enacted that" and the word "such" before "retailer." | |
| | Section thirty-three, the words "and be it enacted." | |
| | Section thirty-nine. | |
| 7 & 8 Vict. c. 108. | An Act the title of which begins with the words "An Act to amend" and ends with the words "the Irish Fisheries." | |
| | In part; namely,— | |
| | Preamble and section one to "same that," and from "or other" to the end of the section. | *Unnecessary.* |
| | The words "And be it enacted that" in sections two and six. | |
| | Section three, to "enacted that" and the word "that" wherever it occurs, except before "behalf." | |
| | Section four, to "enacted that" and the word "that" before "such." | |
| | Section five, to "therefore enacted that." | |
| | Section seven, to "enacted that." | |
| | Section eight, to "enacted that." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 10. | An Act to make certain Provisions for Proceedings in Bastardy. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section nine, to "enacted that" and the word "that" before "the sitting." | |
| | Section ten, the word "that" before "where there are." | |
| 8 & 9 Vict. c. 15. | An Act to repeal the Duties of Excise on Sales by Auction, and to impose a new Duty on the Licence to be taken out by all Auctioneers in the United Kingdom. | |
| | In part; namely,— | |
| | Title, from "to repeal" to "Auction, and." | *As to part of title in col. 2 and preamble unnecessary, having regard to repeal of s. 1 by St. Law Rev. Act, 1875.* |
| | Preamble. | |
| | The words "And be it enacted that" wherever they occur. | |
| | Section two, to "this Act," and from "her heirs" to "throughout the United Kingdom." | *Words in sec. 2 unnecessary, having regard to rep. of s. 1. Rest unnecessary.* |
| 8 & 9 Vict. c. 16. | An Act for consolidating in One Act certain Provisions usually inserted in Acts with respect to the Constitution of Companies incorporated for carrying on Undertakings of a public nature. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section four, to "enacted that." | |
| | Section one hundred and sixty-four, the words "and be it enacted." | |
| 8 & 9 Vict. c. 17. | An Act for consolidating in One Act certain Provisions usually inserted in Acts with respect to the Constitution of Companies incorporated for carrying on Undertakings of a public nature in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section four, to "enacted that." | |
| | Section fifteen, to "of Scotland" and the word "said." | |
| | Section one hundred and twenty-one, to "enacted that." | |
| 8 & 9 Vict. c. 18. | An Act for consolidating in One Act certain Provisions usually inserted in Acts, authorising the taking of Lands for Undertakings of a public nature. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section four, to "enacted that." | |
| | Section eighty-eight, the words "the governor and company of." | |
| | Section one hundred and forty-eight, the words "and be it enacted." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 19. | An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary* |
| | Section four, to "enacted that." | |
| 8 & 9 Vict. c. 20. | An Act for consolidating in one Act certain Provisions usually inserted in Acts authorizing the making of Railways. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section three, from "the expression the Board" to "plantations." | |
| | Section four, to "enacted that." | |
| | Section seventeen, the words "her heirs and successors." | |
| | The recital preceding section twenty-five, to "same: Therefore" | |
| | Section twenty-nine, to "enacted that." | |
| | Section sixty-six, to "enacted that." | |
| | Section one hundred and fifty-nine, the words "and be it enacted." | |
| 8 & 9 Vict. c. 26. | An Act to prevent fishing for Trout or other Fresh-water Fish by Nets in the Rivers and Waters in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that," and the words "after the passing of this Act." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section ten, the word "that" wherever it occurs. | |
| 8 & 9 Vict. c. 28. | An Act to empower Canal Companies and the Commissioners of Navigable Rivers to vary their Tolls, Rates, and Charges on different Parts of their Navigations. | |
| | In part; namely,— | |
| | Preamble and section one to "Act and." | *Unnecessary.* |
| | The words "and be it enacted" in sections two to five. | |
| | Section six, to "enacted that." | |
| 8 & 9 Vict. c. 30. | An Act to amend an Act passed in the Third and Fourth years of the Reign of His late Majesty King William the Fourth, intituled "An Act for the better Administration of Justice in His Majesty's Privy Council." Repealed as to all Her Majesty's dominions. | *Obsolete. The courts of Suddur Dewanny Adawlut are abolished by 24 & 25 Vict. c. 104. s. 8., and the statutory regulations as to appeals from those courts are not applied to appeals from the High Courts.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 32. | An Act to alter and amend the Laws enabling Justices of the Peace in certain Cases to borrow Money on Mortgage of the County Rates, so far as the same relate to the County of Middlesex. | *Virt. rep. by Loc. Gov. Act*, 1888, *ss.* 3 (2), 69. |
| 8 & 9 Vict. c. 33. | An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the making of Railways in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section three, from "The expression the Board" to the end of the section. | |
| | Section four, to "enacted that." | |
| | Section seventeen, the words "her heirs and successors." | |
| | Section fifty-eight, to "enacted that." | |
| 8 & 9 Vict. c. 35. | An Act to simplify the Form and diminish the Expence of obtaining Infeftment in Heritable Property in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section nine to "always that." | |
| 8 & 9 Vict. c. 37. | An Act to regulate the Issue of Bank Notes in Ireland, and to regulate the Repayment of certain Sums advanced by the Governor and Company of the Bank of Ireland for the Public Service. | |
| | In part; namely,— | |
| | Title the words "the Governor and Company of." | *S.* 8 *as to part in col.* 2, *spent.* |
| | Preamble and section one, to "same that." | *As to part of sect.* 29, *in col.* 2, *obsolete; and see* 3 & 4 *Vict. c.* 105. *s.* 42. |
| | The words "And be it enacted that" wherever they occur (except in sections nine and twenty-eight), and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest unnecessary or spent.* |
| | Section two, to "this Act." | |
| | Section four, to "fifty-five," from "or other" to "Ireland" where it first occurs, and the words "the said Governor and Company of." | |
| | Section six, the words "the Governor and Company of" except where they first occur. | |
| | Section seven, to "passing of this Act," and the words "the Governor and Company of." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 37.—*cont.* | Section eight, to "if any; and" from "after the sixth" where those words first occur to "forty-five" where it next occurs, and from "from and after" to "forty-five."<br>Section nine, the words "and be it enacted."<br>Section eleven, the words "subsequently to the passing of this Act."<br>Section twelve, the words "the Governor and Company of" where they last occur.<br>Section fourteen, to "forty-five."<br>Section sixteen, from "after the thirteenth" to "forty-five."<br>Section twenty-one, to "enacted that" and the words "Commissioners of Her Majesty's."<br>Section twenty-seven, the words "from and after the passing of this Act."<br>Section twenty-eight, the words "and be it enacted."<br>Section twenty-nine, from "in no such proceeding" to "allowed; and."<br>Section thirty, to "this Act" where those words first occur.<br>Section thirty-two, the words "the Governor and Company of." | |
| 8 & 9 Vict. c. 38. | An Act to regulate the Issue of Bank Notes in Scotland.<br>In part; namely,—<br>Preamble and section one, to "if any; and" from "after the sixth day of December" where those words first occur to "forty-five" where it next occurs, and from "from and after" to "forty-five."<br>The words "And be it enacted that" wherever they occur (except in sections two and twenty), and the word "that" wherever it occurs with reference to the introductory words so repealed.<br>The words "and be it enacted" in sections two and twenty.<br>Section five, from "from and after" to "forty-five."<br>Section six, to "forty-five."<br>Section seven, from "after the sixth" to "forty-five" where first occurring, and from "after the thirteenth" to "forty-five."<br>Section nine, the word "said" before "sixth."<br>Section twelve, to "enacted that" and the words "commissioners of Her Majesty's." | *Unnecessary or spent.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 38. —*cont.* | Section fifteen, to "declared that" and the words "the Governor and Company of" where twice occurring. | |
| | Section sixteen, from "from and after" to "and forty-six" where those words next occur, and from "after the first" to "forty-six." | |
| | Section eighteen, from "from and after" to "forty-six." | |
| | Section nineteen, the words "from and after the passing of this Act." | |
| | Section twenty-two, the words "the Governor and Company of." | |
| 8 & 9 Vict. c. 39. | An Act to amend the Law of Arrestment of Wages in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "Act." | *Unnecessary.* |
| 8 & 9 Vict. c. 41. | An Act for amending the Laws concerning the Highways, Bridges, and Ferries in Scotland, and the making and maintaining thereof by Statute Service, and by the Conversion of Statute Service into Money. | *Rep. from adoption of* 41 *&* 42 *Vict. c.* 51, *which is now compulsory by L. Gov. Act*, 1889, *s.* 16. |
| 8 & 9 Vict. c. 42. | An Act to enable Canal Companies to become Carriers of Goods upon their Canals. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "from and after the passing of this Act." | |
| | The words "and be it enacted" in sections two, four, six, and twelve. | |
| | The words "And be it enacted that" in sections three, five, eight to eleven, and thirteen. | |
| | Section seven, to "enacted that." | |
| 8 & 9 Vict. c. 46. | An Act for the Appointment of additional Constables for keeping the Peace near Public Works in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "from and after the passing of this Act," the words "or other chief governor or governors of Ireland," and "or they" wherever they respectively occur, and the words "or are." | |
| | Section two, the words "or other chief governor or governors." | |
| | The words "And be it enacted that" in sections two and three. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 56. | An Act, the title of which begins with the words "An Act to alter" and ends with the words "by way of Mortgage." | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section thirteen. | |
| | Section thirteen, the words "and be it enacted." | |
| | Section fourteen, the word "that" where it secondly occurs. | |
| 8 & 9 Vict. c. 61. | An Act to make certain further Provisions for the Consolidation of Turnpike Trusts in South Wales. | |
| | In part; namely,— | |
| | Preamble. | *Virt. rep. by Loc. Gov. Act*, 1888, *s.* 13. |
| | Sections three, nine, eleven, and fourteen. | |
| | Section one, to "of this Act." | |
| | Section two, to "enacted that." | |
| | Schedules. | |
| 8 & 9 Vict. c. 63. | An Act to facilitate the Completion of a Geological Survey of Great Britain and Ireland, under the Direction of the First Commissioner for the Time being of Her Majesty's Woods and Works. | |
| | In part; namely,— | |
| | Preamble and section one to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section six, the words "or stewards" and "or stewartries." | |
| 8 & 9 Vict c. 64. | An Act to amend certain Regulations respecting the Retail of Spirits in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Preamble unnecessary, having regard to repeal of portion of s.* 1 *by St. Law Rev. Act*, 1875. |
| | Section one, to "same that" and the words "above recited and." | |
| | Section two, the words "from after the passing of this Act." | *Rest unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 66. | An Act to enable Her Majesty to endow new Colleges for the Advancement of Learning in Ireland. | |
| | In part; namely,— | |
| | The words "And be it enacted that" wherever they occur, except in section ten. | *Unnecessary.* |
| | Section four, the words "Commissioners of her Majesty's," "said Commissioners of her Majesty's," and "her heirs and successors." | |
| | Section five, the words "Commissioners of her Majesty's." | |
| | Section six, the words "Commissioners of her Majesty's" wherever they occur, and the word "said" before the words so repealed. | |
| | Section seven, the words "Commissioners of her Majesty's," "said Commissioners of the," and "said Commissioners of her Majesty's" wherever they respectively occur. | |
| | Section nine, the words "Commissioners of her Majesty's." | |
| | Section ten, the words "her heirs and successors" wherever they occur, from "in her Majesty" where those words secondly occur, to "and afterwards," and the word "otherwise." | |
| | Section eleven, the words "her heirs and successors." | |
| | Section twelve, the words "said Commissioner's of her Majesty's" and "under the hands of any three or more of them," and the words her "heirs and successors" occurring twice, and from "after providing" to "future charges," from "on the fifth" where those words first occur, to "every year," and from "the first" to the end of the section. | |
| | Section ten, the words "and be it enacted." | |
| | Section thirteen, to "enacted that," and the words "her heirs and successors." | |
| | Section fourteen, to "enacted that" and the words "her heirs and successors." | |
| | Section fifteen, to "enacted that." | |
| | The words "her heirs and successors" wherever they occur in sections seventeen to nineteen. | |
| | Section eighteen, to "enacted that." | |
| 8 & 9 Vict. c. 68. | An Act to stay Execution of Judgment for Misdemeanors upon giving Bail in Error. | *So far as not rep. by St. Law Rev. Act*, 1875, *superseded under Judic. Acts by Crown Office Rules* 1886 (*E.*) and 1891 (*I.*). |
| | | *As to ss.* 1, 2, 4, *see English Rules* 199, 200, 203, *Irish Rules* 182, 183, 186. |
| | | *S.* 6 *unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 69. | An Act to amend an Act of the Sixth Year of Her present Majesty, for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section nine, to "of this Act." | |
| 8 & 9 Vict. c. 70. | An Act for the further Amendment of the Church Building Acts. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section eight. | |
| | Section six, to "enacted" and the word "that" before "in all cases." | |
| | Section seven, to "enacted" and the word "that" before "in all cases." | |
| | Section eight, the words "and be it enacted." | |
| | Section nine, to "enacted that." | |
| | Section fourteen, to "therefore enacted that." | |
| | Section seventeen, to "enacted" and the word "that" before "the church." | |
| 8 & 9 Vict. c. 71. | An Act to extend certain Provisions in the Act for consolidating and amending the Laws relating to Highways in England. | |
| | In part; namely,— | |
| | Preamble and section one, to "of this Act." | *Spent or unnecessary.* |
| | Section two, to "enacted that." | |
| 8 & 9 Vict. c. 74. | An Act the title of which begins with the words "An Act to amend" and ends with the words "Provisions of the said Act." | |
| | In part; namely,— | |
| | Title from "and to discontinue" to the end of the title. | *As to part of Title in col. 2 unnecessary having regard to portion of Act already repealed.* |
| | Preamble. | |
| | Section three, to "this Act," and the words "her heirs and successors." | |
| | Section four, the words "and be it enacted" and the words "from and after the passing of this Act" and from "Provided always," where those words last occur, to the end of the section. | *As to last proviso in Sect. 4 obsolete, see 3 & 4 Vict. c. 105. s. 42.* *Rest unnecessary or spent.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 75. | An Act to amend an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled "An "Act to amend the Law respecting "defamatory Words and Libel." | |
| | In part; namely,— | |
| | Preamble. | *Sect. 2 as to words secondly mentioned rep. as to E. 46 & 47 Vict. c. 49. s. 4.* |
| | Section one, to "same that" and the words "as provided by such Act." | |
| | Section two, to "enacted that," and the words "as provided by said Act." | *Rest unnecessary.* |
| 8 & 9 Vict. c. 76. | An Act the title of which begins with the words "An Act to increase," and ends with the words "Bank Notes in England." | |
| | In part; namely,— | |
| | Title from "to reduce" to "in Ireland." | *As to part of title in col. 2 unnecessary, having regard to portion of Act already repealed.* |
| | Preamble and section one, to "same that" and the words "her heirs and successors." | |
| | Section four, to "this Act." | |
| | Section five, to "this Act," and the words "of debt, bill, plaint," and from "in no such" to "allowed; and." | *Rest unnecessary.* |
| 8 & 9 Vict. c. 77. | An Act to make further Regulations respecting the Tickets of Work to be delivered to Persons employed in the Manufacture of Hosiery, in certain Cases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section three. | |
| | Section three, the words "and be it enacted." | |
| | Section eight, the word "that" before "when any." | |
| 8 & 9 Vict. c. 80. | An Act for regulating the Criminal Jurisdiction of Assistant Barristers as to certain Counties of Cities and Counties of Towns in Ireland. | |
| | In part; namely,— | |
| | Preamble and to "passing of this Act" and the subsequent words "that from and after the passing of this Act," and the word "that" before "the said" and before "a general." | *Spent.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 81. | An Act to amend an Act of the last Session, for consolidating and amending the Laws for the Regulation of Grand Jury Presentments in the County of Dublin. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary or spent.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section two, to "passing of this Act" from "lord high" to "Majesty's," and the words "or any three of them" and "his or their," and from "or other" to "time being." | |
| | Section three, the words "and it is hereby declared and enacted" from "lord high" to "Majesty's" and the words "or any three of them." | |
| | Section four, the words "commissioners of her Majesty's," "or other chief governor or governors," and "of Ireland" wherever those words respectively occur. | |
| | Section five, the words "commissioners of her Majesty's." | |
| | Section eleven, to "passing of this Act." | |
| 8 & 9 Vict. c. 83. | An Act for the Amendment and better Administration of the Laws relating to the Relief of the Poor in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that," and the words "and stewart substitute." | *Unnecessary or spent. See Interp. Act,* 1889. |
| | The words "And be it enacted that" wherever they occur, except in section seventy-five. | |
| | Section two, the words "her heirs and successors" occurring twice. | |
| | Section four, the words "her heirs and successors" from "lord high" to "Majesty's," and from "of the United" to "more of them." | |
| | Section five, from "shall meet" to "members and," the words "thereafter," "at such first meeting and," and "other." | |
| | Section eleven, from "lord high" to "Majesty's," and the words "he or." | |
| | Section fourteen, from "lord high" to "Majesty's" and the words "or any three or more of them." | |
| | Section thirty-two, from "on the third" to "year or" and the word "thereafter." | |
| | Section fifty, to "declared that." | |
| | Section sixty, to "enacted that." | |
| | Section sixty-three, to "passing of this Act." | |
| | Section sixty-eight, to "passing of this Act." | |
| | Section seventy-five, the words "and be it enacted." | |
| | Section seventy-six, to "passing of this Act." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 90. | An Act for granting Duties of Customs.<br>In part; namely,—<br>Sections nine to twelve.<br>Repealed as to all Her Majesty's dominions. | *Inoperative.*<br>*Rep. St. Law Rev. Act*, 1875, *but ss.* 9, 10, 11, 12 *revived by* 39 *&* 40 *Vict. c.* 36. *s.* 287, *which was rep. by St. Law. Rev. Act*, 1883. *with a saving as to revivor.* |
| 8 & 9 Vict. c. 96. | An Act to restrict the Powers of selling or leasing Railways contained in certain Acts of Parliament relating to such Railways.<br>In part namely,—<br>To "same that." | *Unnecessary.* |
| 8 & 9 Vict. c. 99. | An Act the title of which begins with the words "An Act to amend," and ends with the words "the said Land Revenue."<br>In part; namely,—<br>Preamble and section one, to "this Act," and the words "her heirs and successors."<br>The words "And be it enacted that" wherever they occur.<br>Section four, to "of this Act."<br>Section eight, to "enacted that."<br>Section nine, to "therefore enacted that," from "lord high" to "Majesty's," and the words "for the time being" where they last occur, and the words "her heirs and successors." | *Unnecessary.* |
| 8 & 9 Vict. c. 106. | An Act to amend the Law of Real Property.<br>In part; namely,—<br>The word "that" wherever it occurs, except in section three after "always."<br>Section two, the word "said." | *Unnecessary.* |
| 8 & 9 Vict. c. 107. | An Act the title of which begins with the words "An Act for the Establishment" and ends with the words "District Lunatic Asylum."<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed.<br>Section three, the words "Commissioners of Her Majesty's," "said commissioners of Her Majesty's," and "her heirs and successors." | *S.* 10 *virt. rep.* 30 *&* 31 *Vict. c.* 118. *s.* 9.<br>*Rest unnecessary or spent.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 107. —*cont.* | Section four, the words "Commissioners of Her Majesty's." | |
| | Section five, the words "Commissioners of Her Majesty's" wherever they occur, the word "said" before the words "so repealed," and the words "under their hands." | |
| | Section six, the words "Commissioners of Her Majesty's," and "said Commissioners of Her Majesty's" wherever they occur, and the words "said Commissioners of the." | |
| | Section eight, the words "or other chief governor or governors of Ireland" and "for the time being," wherever they occur. | |
| | Section nine, from "or other" where those words first occur to "time being," and from "or other" to "of Ireland." | |
| | Section ten. | |
| | Section eleven, the words "of Ireland for the time being," "or they," "or hands," and "and they," and the words "or other chief governor or governors" and "or their" wherever they respectively occur. | |
| | Section twelve, the words "or other chief governor or governors" wherever they occur, and "or they," "or hands," and "or their" twice occurring. | |
| | Section thirteen, to "repealed and that," the word "that" before "the care," and from "or other" to the end of the section. | |
| | Section fourteen, to "Be it enacted that" from "or other" to "Ireland," and the words "or them." | |
| | Section fifteen, the words "or other chief governor or governors of Ireland" occurring twice, and "or them." | |
| | Section seventeen, to "Be it enacted that" the words "as aforesaid," and from "from" to "Act." | |
| | Section nineteen, to "next." | |
| | Section twenty, to "day." | |
| | Section twenty-one, to "September." | |
| | Section twenty-two, the words "or other "chief governor or governors of Ire- "land" occurring twice, and "for the time being." | |
| | Section twenty-three, to "enacted that." | |
| | Section twenty-five, to "passing of this Act." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 108. | An Act for the further Amendment of an Act of the Sixth Year of Her present Majesty, for regulating the Irish Fisheries. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary or spent.* |
| | The words "And be it enacted that" wherever they occur, except in sections four and twelve. | |
| | The words "and be it enacted" in sections four and twelve. | |
| | Section two, from "after" to "forty-five." | |
| | Section ten, to "enacted that." | |
| | Section eleven, the words "from and after the passing of this Act." | |
| | Section sixteen, to "declared that." | |
| | Section twenty-five, the word "that." | |
| 8 & 9 Vict. c. 109. | An Act to amend the Law concerning Games and Wagers. | |
| | In part; namely,— | |
| | The words "And be it enacted that" wherever they occur. | *Unnecessary or spent.* |
| | Section nine, to "enacted that." | |
| | Section eleven, to "passing of this Act" and from "after the said" to "October." | |
| | Section eighteen, the word "that" before "no suit." | |
| | Section twenty, the word "that" before "every such." | |
| 8 & 9 Vict. c. 112. | An Act to render the Assignment of satisfied Terms unnecessary. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| 8 & 9 Vict. c. 113. | An Act to facilitate the Admission in Evidence of certain official and other Documents. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" in sections two, three, and five. | |
| | Section four, the words "and be it enacted." | |
| 8 & 9 Vict. c. 114. | An Act for the Abolition of certain Fees in Criminal Proceedings. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Sect. 2 spent: the sections of 55 Geo. 3. c. 50. authorising this compensation are repealed.* |
| | Section two. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 115. | An Act for the Appointment of a Taxing Master for the High Court of Chancery in Ireland. | |
| | In part, namely,— | |
| | Preamble. | *Sect.* 1 *as to part specified in col.* 2, *superseded by* 40 & 41 *Vict. c.* 57. *s.* 72, *and see Order 2nd July* 1881. |
| | The words "And be it enacted that" wherever they occur, except in section eleven. | |
| | Section one, to "forty-five" and from "and the business" to the end of the section. | |
| | Section two, the word "that" before "as often." | *Sect.* 6 *as to part specified in col.* 2, *superseded by* 40 & 41 *Vict. c.* 57. *s.* 73. |
| | Section three, the word "that" before "in case." | *Sects.* 9, 10, *superseded by* 40 & 41 *Vict. c.* 57. *s.* 72. |
| | Section six, the words "Commissioners of Her Majesty's" and from "and such taxing master" to the end of the section. | *Sect.* 13 *superseded by* 40 & 41 *Vict. c.* 57. *s.* 84. *and Order as to Court Fees, Dec.* 26, 1877. |
| | Section eight, to "of this Act" and the words "that from and after the said thirtieth day of November." | |
| | Sections nine and ten. | *Sect.* 14 *as to part in col.* 2 *obsolete.* |
| | Section eleven, the words "and be it enacted." | *Rest unnecessary or spent.* |
| | Section thirteen. | |
| | Section fourteen, from "shall grow" to "direct and," and the words "Commissioners of Her Majesty's." | |
| 8 & 9 Vict. c. 117. | An Act to amend the Laws relating to the Removal of poor Persons born in Scotland, Ireland, the Islands of Man, Scilly, Jersey, or Guernsey, and chargeable in England. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section seven, the word "that" wherever it occurs. | |
| 8 & 9 Vict. c. 118. | An Act the title of which begins with the words "An Act to facilitate" and ends with the words "Powers in certain Cases." | |
| | In part; namely,— | |
| | Preamble. | *Sects.* 73, 74, 75, 78, 109, 112, *as to part in col.* 2 *rep. virt. or in general terms by* 39 & 40 *Vict. c.* 56. *ss.* 24, 25, 26, 27. *Rest unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in sections twelve to fourteen, twenty-two, twenty-nine, thirty-six, forty-nine, fifty-one, fifty-two, fifty-six, fifty-seven, sixty, eighty-one, eighty-eight, eighty-nine, ninety-six to ninety-eight, one hundred and seven, one hundred and twenty-five, one hundred and twenty-seven, one hundred and thirty-one, one hundred and forty-two, and one hundred and fifty. | |
| | The words "and be it enacted" in sections twelve to fourteen, twenty-two, twenty-nine, thirty-six, forty-nine, fifty-one, fifty-two, fifty-six, | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 118. —*cont.* | fifty-seven, sixty, eighty-one, eighty-eight, eighty-nine, ninety-six to ninety-eight, one hundred and seven, one hundred and twenty-five, one hundred and twenty-seven, one hundred and thirty-one, one hundred and forty-two, and one hundred and fifty. | |
| | Section nine, the word "that" before "the Commissioners." | |
| | Section seventy-three, the words "unless "the same shall be otherwise awarded "under the provision herein-after "contained," the words "and sub-"ject thereto in aid of the rates "for the repair of the public high-"ways in the said parish or respective "parishes," and from "subject nevertheless" to "herein-after provided." | |
| | Section seventy-four, to "his allotment; and." | |
| | Section seventy-five to "the award; and" Section seventy-eight. | |
| | Section one hundred and six, the word "that" before "from and." | |
| | Section one hundred and nine, from "and the rent" to "such valuations." | |
| | Section one hundred and twelve, from "and the residue" to the end of the section. | |
| 8 & 9 Vict. c. 124. | An Act to facilitate the granting of certain Leases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that," and the word "that" at the commencement of sections two to eight. | *Unnecessary* |
| 8 & 9 Vict. c. 127. | An Act for the better securing the Payment of Small Debts. | |
| | In part; namely,— | |
| | The words "And be it enacted that" wherever they occur, except in section sixteen. | *As to special pleader obsolete since Judic. Acts.* |
| | Section eight, to "Act." | *Rest unnecessary.* |
| | Section nine, the words "or special pleader." | |
| | Section sixteen, the words "and be it enacted." | |
| | Section twenty-one, from "or into" to "Lancaster." | |
| | Section twenty-three, to "enacted that." | |
| | Section twenty-four, the words "or a special pleader." | |
| 8 & 9 Vict. c. 128. | An Act to make further Regulations respecting the Tickets of Work to be delivered to Silk Weavers in certain Cases. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Sections 4, 5, and parts of 6 and 8 superseded by S. J. Acts.* |
| | Sections four and five, and section six to "convicted; and," and section eight from "and that" to the end of the section; repealed as to England. | *Rest unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 8 & 9 Vict. c. 128. —*cont.* | The words "And be it enacted that" wherever they occur except in section three. | |
| | Section three, the words "and be it enacted." | |
| | Section eight, the word "that" before "when any." | |
| 9 & 10 Vict. c. 1. | An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *As to part of s.* 12 *in col.* 2 *virt. rep.*, 13 & 14 *Vict. c.* 51. |
| | The words "And be it enacted that" wherever they occur. | |
| | Section three, to "from and after the passing of this Act." | *Rest unnecessary or spent.* |
| | Section four, the words "or other chief "governor or governors of Ireland." | |
| | Section six, to "therefore enacted that" and the words "Commissioners of Her Majesty's," and "or any three or more of them." | |
| | Section seven, to "enacted that." | |
| | Section eight, the word "that" before "no second." | |
| | Section twelve, from "and the expression Commissioners" to "three or more of them," from "and also all bishops" to "respective characters," and from "and the expression 'High'" to "remembrancer." | |
| 9 & 10 Vict. c. 2. | An Act the title of which begins with the words "An Act to authorize" and ends with the words "Presentments in Ireland." | |
| | In part; namely,— | |
| | Title from "to authorise" to "and also." | *As to title s.* 20 *is the only unrepealed section.* |
| | Section twenty, to "enacted that." | *Rest unnecessary.* |
| 9 & 10 Vict. c. 3. | An Act to encourage the Sea Fisheries of Ireland, by promoting and aiding with Grants of public Money the Construction of Piers, Harbours, and other Works. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *As to Exchequer virt. rep. by* 13 & 14 *Vict. c.* 51. |
| | The words "And be it enacted that" wherever they occur, except in sections eighteen, thirty-six, forty-two, forty-three, forty-six, fifty, seventy-one, and eighty-five. | *As to part of s.* 72 *in col.* 2 *sup.* 9 & 10 *Vict. c.* 24. *s.* 1, 16 & 17 *Vict.* c. 99. *s.* 14, 20 & 21 *Vict. c.* 3. *ss.* 2, 7. |
| | The words "and be it enacted" in sections eighteen, thirty-six, forty-two, forty-three, forty-six, fifty, seventy-one, and eighty-five. | *Rest unnecessary.* |
| | Section two, the word "that" before "in all" and before "no such." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 3.—*cont.* | Section five, the words "Commissioners of Her Majesty's" and "said Commissioners of the." | |
| | Section nine, the words "Commissioners of Her Majesty's" occurring twice and "or any three or more of them." | |
| | Section ten, the words "Commissioners of Her Majesty's" "the said Commissioners of" and "the Commissioners of." | |
| | Section eleven, the words "the Commissioners of." | |
| | Section fifteen, the words "said Commissioners of Her Majesty's" twice occurring. | |
| | Section sixteen, the words "Commissioners of Her Majesty's." | |
| | Section twenty-four, the words "said Commissioners of Her Majesty's." | |
| | Section forty-one, the words "or Exchequer" wherever they occur. | |
| | Section forty-two, the words "or Exchequer." | |
| | Section forty-five, the words "or Exchequer." | |
| | Section forty-six, the words "or Exchequer." | |
| | Section fifty-one, the words "the Commissioners of." | |
| | Section sixty, the words "or Exchequer." | |
| | Section seventy, the words "or other "chief governor or governors of Ire- "land," "or their," and "under his or their hands." | |
| | Section seventy-two, from "or to be" to the end of the section. | |
| | Section eighty-six, the words "Commissioners of Her Majesty's," and "the said Commissioners of" occurring twice. | |
| | Section eighty-seven from "and the expression Commissioners" to "any three or more of them." | |
| 9 & 10 Vict. c. 4. | An Act the title of which begins with the words "An Act to amend" and ends with the words "the present Year." | |
| | In part; namely,— | |
| | Title from "and to afford" to the end of the title. | *As to part of title in col. 2 unnecessary, having regard to repeal of ss. 45–51. Rest unnecessary.* |
| | Preamble. | |
| | Section one, to "same that," the word "that" before "in all cases," and the words "from and after the first day of January in this present year." | |
| | The words "And be it enacted that" wherever they occur (except in sections twelve and twenty-two), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 4. —*cont.* | Section six, to "passing of this Act." | |
| | Section ten, to "enacted that" the words "Commissioners of Her Majesty's" occurring twice, and from "of the United" to "Ireland" where they respectively first occur, and the words "last-mentioned" wherever they occur. | |
| | Section eleven, to "therefore enacted that." | |
| | The words "and be it enacted" in sections twelve and twenty-two. | |
| | Section eighteen, the words "or Exchequer." | |
| | Section twenty-four, to "enacted that." | |
| | Section twenty-seven, from "from and after" to "present year." | |
| | Section twenty-eight, the words "Commissioners of Her Majesty's." | |
| | Section thirty-one, the words "Commissioners of Her Majesty" occurring twice, "or any three or more of them," and "said Commissioners of the." | |
| | Section thirty-seven, to "enacted that." | |
| | Section forty-two, the words "or other "chief governor or governors of Ire- "land" occurring twice. | |
| | Section forty-three, to "enacted that." | |
| 9 & 10 Vict. c. 17. | An Act for the Abolition of the exclusive Privilege of trading in Burghs in Scotland. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 1 *proviso virt. rep. by Stamp Act*, 1870, "*Admission.*" |
| | Section one, to "cease, and" and from "Provided always" to end of section. | *Rest unnecessary.* |
| | Section two, to "enacted that." | |
| | Section three, to "enacted that." | |
| 9 & 10 Vict. c. 20. | An Act, the title of which begins with the words "An Act to amend," and ends with the words "Authority of Parliament." | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted that." wherever they occur. | |
| 9 & 10 Vict. c. 24. | An Act for removing some Defects in the Administration of Criminal Justice. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *S.* 3 *sup.*, *C.O.R.* 1886, *Rule* 41. |
| | Sections three and four. | *S.* 4 *sup. as to E.*, *C.O.R.* 1886, *Rule* 200, *and as to I.*, *by C.O.R.* 1891, *Rule* 183. |
| 9 & 10 Vict. c. 33. | An Act to amend the Laws relating to Corresponding Societies and the Licensing of Lecture Rooms. | |
| | In part, namely,— | |
| | Preamble and section one, to "from and after the passing of this Act" and the words "made or incurred or." | *Unnecessary or spent.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 37. | An Act to amend the Laws relating to the Office of Coroner and the Expences of Inquests in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Sect. 7 and Sch. C. as to parts in col. 2, rep. in general terms by 44 & 45 Vict. c. 35. ss. 1, 4. Rest unnecessary or spent.* |
| | The words "And be it enacted that" wherever they occur (except in section thirty), and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section two, to "passing of this Act," from "or other" to "time being," and the words "or they." | |
| | Section four, from "or other" to "time being," and the words "or they." | |
| | Section seven, the words "for two days only," the words "in each day," and the words "of either of the said days." | |
| | Section sixteen, the words "from and after the passing of this Act," occurring twice. | |
| | Section nineteen, to "passing of this Act." | |
| | Section thirty, the words "and be it enacted." | |
| | Section thirty-three, to "passing of this Act." | |
| | Section thirty-seven, to "passing of this Act." | |
| | Section forty-two, the words "from and after the passing of this Act." | |
| | Section forty-six, to "from and after the passing of this Act." | |
| | Section forty-seven. | |
| | Section fifty, to "passing of this Act." | |
| | Schedule C., the entry relating to any poor witness. | |
| 9 & 10 Vict. c. 57. | An Act for regulating the Gauge of Railways." | |
| | In part; namely,— | |
| | Preamble and section one, to "Act" where it first occurs. | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section four, the words "after the passing of this Act." | |
| 9 & 10 Vict. c. 59. | An Act to relieve Her Majesty's Subjects from certain Penalties and Disabilities in regard to Religious Opinions. | |
| | In part; namely,— | |
| | Section one, to "same that." | *Unnecessary.* |
| 9 & 10 Vict. c. 60. | An Act the title of which begins with the words "An Act to exempt," and ends with the words "in Ireland." | |
| | In part; namely,— | |
| | Preamble and section one, to "present year." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 61. | An Act the title of which begins with the words "An Act to amend" and ends with the word "Ireland." | |
| | In part; namely,— | |
| | To "of the same that." | *Unnecessary.* |
| 9 & 10 Vict. c. 64. | An Act to enable Courts of Law in Ireland to give Relief against adverse Claims made upon Persons having no Interest in the Subject Matter of such Claims. | |
| | In part; namely— | |
| | Preamble. | *As to part of s.* 1 *in col.* 2, *virt. rep. by Rule* 12 *in Schedule to Sup. Court of Jud.* (*I.*) *Act*, 1877. |
| | Section one, to "same that" and from "such application" to "plea." | |
| | The words "And be it enacted that" in sections two, three, and seven. | |
| | The words "and be it enacted" in sections four and five. | *Rest unnecessary.* |
| 9 & 10 Vict. c. 66. | An Act to amend the Laws relating to the Removal of the Poor. | |
| | In part; namely— | |
| | Preamble and section one, to "Act" where it first occurs. | *Unnecessary.* |
| | The words, "And be it enacted that" wherever they occur, except in section five. | |
| | Section five, the words "and be it enacted." | |
| 9 & 10 Vict. c. 68. | An Act for better enabling the Burial Service to be performed in One Chapel where contiguous Burial Grounds shall have been provided for Two or more Parishes or Places. | |
| | In part; namely,— | |
| | Section one, the words "for England." | *Unnecessary.* |
| | The words "And be it enacted that" in sections two, three, and five. | |
| | The words "and be it enacted" in section four. | |
| | Section five, the words "for England." | *Interp. Act*, 1889. |
| 9 & 10 Vict. c. 70. | An Act to amend the Act to facilitate the Inclosure and Improvement of Commons. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur, except in section two. | |
| | Section two, the words "and be it enacted." | |
| | Section twelve, to "enacted that." | |
| 9 & 10 Vict. c. 72. | An Act to amend the Act for Marriages in Ireland, and for registering such Marriages. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted that" wherever they occur. | |
| | Section three, to "enacted that." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 73. | An Act further to amend the Acts for the Commutation of Tithes in England and Wales. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Sects.* 1, 2, 16, *obsolete having regard to complete commutation of tithe.* |
| | The words "And be it enacted that" wherever they occur, except in section ten. | |
| | Section ten, the words "and be it enacted." | *Rest unnecessary.* |
| | Sections one, two, and sixteen, except as to any tithes which have not been commuted. | |
| 9 & 10 Vict. c. 74. | An Act to encourage the Establishment of public Baths and Wash-houses. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary, and see Interp Act*, 1889. |
| | The words "And be it enacted that" wherever they occur. | |
| | Section twenty, to "be it enacted that." | |
| | Section twenty-one, the words "Commissioners of Her Majesty's" occurring twice. | |
| | Section twenty-four, the words "Commissioners of Her Majesty's." | |
| | Section thirty-one, the words "Commissioners of Her Majesty's" occurring twice. | |
| | Section thirty-two, the words "Commissioners of Her Majesty's." | |
| 9 & 10 Vict. c. 76. | An Act for the Abolition of the exclusive Privilege of Trading, or of regulating Trades, in Cities, Towns, or Boroughs in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *As to s.* 1, *spent; rest unnecessary.* |
| | Section one, to "Ireland; and." | |
| | The words "and be it enacted" in sections five and six. | |
| 9 & 10 Vict. c. 77. | An Act to amend the Acts relating to the Offices of the House of Commons. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section three, the words "Commissioners of Her Majesty's." | |
| | Section five, to "enacted that" and the word "that" before "in the event." | |
| 9 & 10 Vict. c. 86. | An Act to extend and consolidate the Powers hitherto exercised by the Commissioners of Public Works in Ireland, and to appoint additional Commissioners. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary or spent.* |
| | Section two, to "forty-six" | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 86. —*cont.* | The words "And be it enacted that" wherever they occur.<br>Section four, to "enacted that."<br>Section six, the word "that" before "the commissioners."<br>Section nine, the words "Commissioners of Her Majesty's," "or any three or more of them," "said Commissioners of the" and "said Commissioners of Her Majesty's." | |
| 9 & 10 Vict. c. 87. | An Act for promoting the voluntary Establishment in Boroughs and certain Cities and Towns in Ireland of Public Baths and Washhouses.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur.<br>Section five, from "or other" to "time being."<br>Section six, to "be it enacted that."<br>The words "Commissioners of Her Majesty's" in sections seven, ten, seventeen, and eighteen. | *Unnecessary.*<br><br>*Interp. Act*, 1889. |
| 9 & 10 Vict. c. 88. | An Act to remove Doubts as to the Legality of certain Assignments of Ecclesiastical Patronage.<br>In part; namely,—<br>Preamble and section one, to "same that" and the word "that" before "every." | *Unnecessary.* |
| 9 & 10 Vict. c. 90. | An Act to prevent the Use of Stills by unlicensed Persons.<br>In part; namely,—<br>Preamble.<br>Section one, to "from and after the passing of this Act," and the words "her heirs and successors."<br>The words "And be it enacted that" wherever they occur. | *Unnecessary.* |
| 9 & 10 Vict. c. 93. | An Act for compensating the Families of Persons killed by Accidents.<br>In part; namely,—<br>Section one, from "Be it therefore" to "same that."<br>The words "And be it enacted that" wherever they occur, except in section three.<br>Section three, the words "and be it enacted." | *Unnecessary.* |
| 9 & 10 Vict. c. 97. | An Act, the title of which begins with the words "An Act to provide" and ends with the words "Constabulary Force."<br>In part; namely,—<br>Preamble.<br>Section two, to "October next" and the word "commissioners of her Majesty's" and "or any three or more of them." | *Unnecessary or spent.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 97. —*cont.* | Section three, the words "or other chief governor or governors of Ireland," and "or they" wherever they respectively occur, from "and thereupon" to "should be removed," and the words "exceeding the numbers aforesaid." | |
| | Section four, to "enacted that," and the words "or other chief governor or governors" occurring twice, and "or are." | |
| | Section five, the words "and be it enacted," and the words "or other "chief governor or governors" wherever they occur. | |
| | Section six, to "this Act." | |
| 9 & 10 Vict. c. 101. | An Act to authorise the Advance of Public Money to a Limited Amount, to promote the Improvement of Land in Great Britain and Ireland by Works of Drainage. | |
| | In part; namely,— | |
| | Preamble. | *As to Exchequer in equity in Ireland, virt. rep. by* 13 *&* 14 *Vict. c.* 51. |
| | The words "And be it enacted that" wherever they occur, except in section twenty-three. | |
| | Section eighteen, the words "or Court "of Exchequer at the equity side "thereof." | *Rest unnecessary.* |
| | Section twenty, the words "or Court of Exchequer at the equity side thereof," the words "or Lord Chief Baron of the Exchequer," the words "or the "chief remembrancer of the said "Court of Exchequer," and the words "and for the Lord Chief Baron of the Court of Exchequer in Dublin." | |
| | Section twenty-two, the words "and Court of Exchequer." | |
| | Section twenty-three, the words "and be it enacted," and the words "or Exchequer." | |
| | Section twenty-six, to "company of." | |
| | Section thirty-two, the words "Commissioners of the." | |
| | Section forty-two, the words "Commissioners of the" occurring twice. | |
| | Section forty-five, the words "Commissioners of the." | |
| | Section forty-nine from "the words Commissioners" to "time being" where these words secondly occur. | |
| 9 & 10 Vict. c. 103. | An Act to make further Provision for the Government of the New Zealand Islands. | *Virt. rep.* 15 *&* 16 *Vict. c.* 72. *ss.* 1 *and* 71. |
| | Repealed as to all Her Majesty's Dominions. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 9 & 10 Vict. c. 111. | An Act to amend the Law in Ireland as to Ejectments and Distresses, and as to the Occupation of Lands.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted that" wherever they occur.<br>Section fifteen, to "of this Act." | *Unnecessary.* |
| 9 & 10 Vict. c. 112. | An Act to facilitate and encourage the granting of certain Leases for Terms of Years in Ireland.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>The words "And be it enacted that" wherever they occur.<br>Section four. | *S.* 4 *sup. Conveyancing Act*, 1881, *s.* 6. *Rest unnecessary.* |
| 9 & 10 Vict. c. 113. | An Act to improve the Proceedings in Prohibition and on Writs of Mandamus in Ireland.<br>In part; namely,—<br>Preamble and section one, to "same that,"<br>The words "And be it enacted that" wherever they occur.<br>Section two, to "enacted that."<br>Section five, to "enacted that."<br>Section six, to "enacted that." | *Unnecessary.* |
| 9 & 10 Vict. c. 115. | An Act the title of which begins with the words "An Act to amend" and ends with the words "in Ireland."<br>In part, namely,—<br>Title from "to provide for the expence" to the end of the title.<br>The words "or other chief governor or governors," and "or other chief governor or governors of Ireland" wherever they occur.<br>Section two, to "therefore enacted that."<br>Section three, to "enacted that." | *Title as to part specified in col.* 2 *unnecessary, having regard to repeal of whole Act, except ss.* 2, 3 *by St. Law Rev. Acts*, 1875 *and* 1878.<br>*Rest unnecessary.* |
| 10 & 11 Vict. c. 4. | An Act for abolishing poundage on Chelsea Pensions.<br>In part; namely,—<br>Preamble and section one, to "same . . . that." | *Unnecessary.* |
| 10 & 11 Vict. c. 11. | An Act to explain and amend the Act authorising the Advance of Money for the Improvement of Land by Drainage in Great Britain.<br>In part; namely,—<br>Preamble and section one, to "same, that." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 11. —*cont.* | The words "And be it enacted, that" in sections two, three, five, and seven to nine. | *As to part of s.* 2 *in col.* 2, *rep. in general terms* 19 & 20 *Vict. c.* 9. *s.* 9. |
| | Section two, from "and it shall" to the end of the section. | *As to words in s.* 11, *superseded* 19 & 20 *Vict. c.* 9. *s.* 13. |
| | Section four, the words "and be it enacted." | *Rest unnecessary.* |
| | Section seven, the words "Commissioners of Her Majesty's." | |
| | Section ten, to "that." | |
| | Section eleven, to "one Act, and." | |
| 10 & 11 Vict. c. 14. | The Markets and Fairs Clauses Act, 1847. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *As to Com. Pleas of Lancaster and Durham obsolete.* |
| | Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and," "or stewartry" from "and the steward" to "in Scotland" and the words "and steward depute respectively." | *As to stewartry, &c. see Interp. Act*, 1889. |
| | Section fifty-five, the words "or steward" and "stewartry." | |
| 10 & 11 Vict. c. 15. | The Gasworks Clauses Act, 1847. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *See preceding note.* |
| | Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and," "or stewartry," from "and the steward" to "in Scotland," and the words "and steward depute respectively." | |
| | Section forty-two, the words "or steward" and "stewartry." | |
| | The words "And be it enacted that" in sections forty-eight and forty-nine. | |
| 10 & 11 Vict. c. 16. | An Act for consolidating in One Act certain Provisions usually contained in Acts with respect to the Constitution and Regulation of Bodies of Commissioners appointed for carrying on Undertakings of a public Nature. | |
| | In part; namely,— | |
| | Section one, to "same that." | |
| | Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and" "or stewartry," from "and the steward" to "in Scotland," and the words "and "steward depute respectively." | *See note to* 10 & 11 *Vict. c.* 14. *Sched.* (*D*) *not referred to in Act and sup. by S. J. Acts.* |
| | Section one hundred and five, the words "or steward" and "or stewartry." | |
| | Schedule (D.) | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 17. | The Waterworks Clauses Act, 1847.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *See note to* 10 & 11 *Vict. c.* 14. |
| | Section three, from "and shall include the Court" to "of Durham," the words "stewartry, and" or "stewartry" from "and the steward" to "in Scotland," and the words "and steward depute respectively." | |
| | Section eighty-seven, the words "or steward" and "stewartry." | |
| | Section ninety-three, to "enacted, that." | |
| 10 & 11 Vict. c. 21. | An Act to regulate the Stations of Soldiers during Parliamentary Elections.<br>In part; namely,— | |
| | Preamble. | *Unnecessary; as to s.* 3 *see* 26 & 27 *Vict. c.* 12. *s.* 1. |
| | Section two, to "enacted, that," and the word "that" before "every." | |
| | Section three, to "enacted, that," and from "or, in case" to "stead." | |
| | Section four, to "enacted, that." | |
| 10 & 11 Vict. c. 26. | An Act for enabling the Commissioners of Public Works in Ireland to purchase Land for Prisons in Ireland.<br>In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same that." | |
| | The words "And be it enacted, that" wherever they occur. | *Interp. Act*, 1889. |
| | The words "Commissioners of Her Majesty's" wherever they occur, and the word "said" wherever it occurs before the words so repealed. | |
| | Section three, the words "her heirs and successors." | |
| | Section six, the words "said commissioners of the." | |
| 10 & 11 Vict. c. 27. | The Harbours, Docks, and Piers Clauses Act, 1847.<br>In part; namely,— | |
| | Preamble and section one, to "same that." | *Interp. Act, ss.* 7, 12, *and* 30. |
| | Section three, from "and shall include" to "of Durham," the words "stewartry, and," "or stewartry," from "and the stewart depute" to "in Scotland," the words "and steward depute respectively," and from "The expression the Lords" to "High Admiral" where those words last occur. | |
| | The words "her heirs and successors" in sections twelve and twenty-eight. | |
| | The words "Her Majesty's" wherever they occur in sections twelve and thirteen, and where they last occur in section ninety-nine. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 27. —*cont.* | The words "Forests, Land Revenues, Works and Buildings" wherever they occur in sections twelve, thirteen, and ninety-nine. | |
| | The words "the Lords of" and "the said Lords of" wherever they respectively occur in sections twelve, thirteen, sixteen, eighteen, and ninety-nine. | |
| | Section twenty-four, the words "Commissioners of Her Majesty's" where they first occur. | |
| | Section ninety-four, the words "or steward" and "stewartry." | |
| | Section ninety-nine, the words "her heirs or successors" and "for the time being." | |
| | Section one hundred and three, to "enacted, that." | |
| 10 & 11 Vict. c. 28. | An Act to amend the Acts relating to County Buildings. | |
| | In part; namely,— | |
| | Preamble down to "exclusively to such county, riding, or division: And" and section one, to "same, that." | *Unnecessary.* |
| 10 & 11 Vict. c. 31. | An Act to make further Provision for the Relief of the destitute Poor in Ireland. | |
| | In part; namely,— | *Unnecessary.* |
| | Preamble and section one, to "same, that." | |
| | The words "And be it enacted, that" wherever they occur, except in section fifteen. | |
| | Section fourteen, to "enacted, that." | |
| | Section fifteen, the words "and be it enacted." | |
| | Section sixteen, to "passing of this Act." | |
| | Section seventeen, to "enacted, that," and the word "that" before "so much." | |
| | Section eighteen, to "passing of this Act." | |
| | Section nineteen, to "enacted, that." | |
| | Section twenty-one, to "said unions" where those words secondly occur. | |
| 10 & 11 Vict. c. 32. | An Act to facilitate the Improvement of Landed Property in Ireland. | |
| | In part; namely,— | |
| | Preamble. | |
| | The words "And be it enacted, that" wherever they occur, except in sections nine, forty-two, fifty-one, and sixty-three. | *Unnecessary, see Interp. Act*, 1889. |
| | Section three, the words "the Commissioners of" where they secondly occur. | |
| | The words "said Commissioners of Her Majesty's" and "Commissioners of Her Majesty's," wherever they respectively occur in sections three, four, | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 32. —*cont.* | five, fifteen, eighteen, twenty-four, twenty-six, thirty, thirty-three, thirty-four, forty-one, forty-two, forty-seven, forty-nine, and fifty-five. | |
| | The words "and be it enacted" in sections nine, forty-two, fifty-one, and sixty-three. | |
| | Section twenty-five, to "company of." | |
| | Section twenty-seven, the word "that" before "no second." | |
| | The words "Commissioners of the" in sections thirty-one and thirty-five. | |
| | Section fifty-five, to "enacted, that." | |
| | Section sixty-two, to "enacted, that." | |
| | Section sixty-five, the words "her heirs and successors," the words "for the time being" where first occurring, "Her Majesty's," and "Forests, Land Revenues, Works, and Buildings." | *Interp. Act.* |
| | Section sixty-six, from "the words Commissioners" to "two of them." | |
| 10 & 11 Vict. c. 33. | An Act to amend the Laws relating to the Removal of poor Persons from England and Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section four, the word "that" before "the words." | |
| 10 & 11 Vict. c. 34. | The Towns Improvement Clauses Act, 1847. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *As to courts obsolete, rest unnecessary.* |
| | Section three, from "and shall include the Court" to "of Durham." | |
| 10 & 11 Vict. c. 38. | An Act to facilitate the Drainage of Lands in England and Wales. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that" and the word "that" before "the assistant." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in sections twelve, fifteen, eighteen, and nineteen. | |
| | The words "and be it enacted" in sections twelve, fifteen, eighteen, and nineteen. | |
| | Section nineteen, the words "and Forests." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 39. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of Scotland." | *Spent. See terms of repeal by* 13 *&* 14 *Vict. c.* 33. *s.* 1. *Return* (*Scotland*), *No.* 390 *of Session* 1870, *showed that only four burghs then had their Police regulated by the Act* 3 *&* 4 *Will.* 4. *c.* 46; *and all these have now adopted the Police Act of* 1862 (25 *&* 26 *Vict. c.* 101). |
| 10 & 11 Vict. c. 42. | An Act to transfer the Collection and Management of the duties in respect of Stage Carriages, Hackney Carriages, and Railway Passengers from the Commissioners of Stamps and Taxes to the Commissioners of Excise. | |
| | In part; namely,— | |
| | Title, the words "Stage Carriages, Hackney Carriages, and." | *Words of title in col.* 2 *fall with partial repeal of Act by* 38 *&* 39 *Vict. c.* 66. (*S.L.R.*) |
| | Preamble and section one, to "same, that." | |
| | Section two, to "enacted, that," and the word "that" before "all the powers." | *Rest unnecessary.* |
| 10 & 11 Vict. c. 46. | An Act to facilitate the temporary Investment of Trust Monies in the Improvement of Landed Property in Ireland. | |
| | In part; namely,— | |
| | Preamble to "Ireland: And." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| 10 & 11 Vict. c. 52. | An Act for the Correction of certain Abuses which have frequently prevailed at the Elections of Representative Peers for Scotland. | |
| | In part; namely,— | |
| | The words "And be it enacted, that" wherever they occur, except in section five. | *Unnecessary.* |
| | Section five, the words "and be it enacted." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 61. | An Act to amend the Act for the Establishment of public Baths and Washhouses.<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>Section two, to "declared, that."<br>The words "And be it enacted, that" in sections four, five, and seven. | *Unnecessary.* |
| 10 & 11 Vict. c. 62. | An Act for the Establishment of Naval Prisons, and for the Prevention of Desertion from Her Majesty's Navy.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted, that" wherever they occur. | *Unnecessary.* |
| 10 & 11 Vict. c. 63. | An Act for limiting the Time of Service in the Royal Marine Forces.<br>In part; namely,—<br>Preamble.<br>Section one, to "this Act."<br>The words "And be it enacted, that" in sections three, seven, and eight.<br>Section four, the words "also, and be it enacted."<br>The words "and be it enacted" in sections five and six. | *Unnecessary.* |
| 10 & 11 Vict. c. 65. | The Cemeteries Clauses Act, 1847.<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>Section three, from "and shall include the Court" to "of Durham."<br>Section sixty-eight to "enacted, that" | *As to courts obsolete, rest unnecessary.* |
| 10 & 11 Vict. c. 67. | An Act to amend the Law as to the Custody of Offenders.<br>In part; namely,—<br>Preamble and section one, to "same, that" and the word "that" before "all the."<br>Section two, to "enacted, that." | *Unnecessary.* |
| 10 & 11 Vict. c. 69. | An Act for the more effectual Taxation of Costs on Private Bills in the House of Commons.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted, that" wherever they occur. | *Unnecessary.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 72. | An Act for the further Amendment of the Laws relating to Turnpike Roads in South Wales. | |
| | In part; namely,— | |
| | Preamble and sections one to seven, nine to twelve, fifteen, and sixteen. | *Virt. rep.* 51 & 52 *Vict. c.* 41. *s.* 13. |
| 10 & 11 Vict. c. 79. | An Act the title of which begins with the words "An Act to continue" and ends with the words "said Act." | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section two, to "enacted that." | |
| | Section three, to "declared that." | |
| | The words "And be it enacted, that" in sections four and five. | |
| 10 & 11 Vict. c. 84. | An Act to make Provision for the Punishment of Vagrants and Persons offending against the Laws in force for the Relief of the destitute Poor in Ireland. | |
| | In part; namely,— | |
| | The words "And be it enacted, that" wherever they occur. | *Unnecessary.* |
| | Section eight, the word "that" wherever it occurs. | |
| 10 & 11 Vict. c. 85. | An Act for giving further Facilities for the Transmission of Letters by Post, and for the regulating the Duties of Postage thereon, and for other Purposes relating to the Post Office. | |
| | In part; namely,— | |
| | The words "And be it enacted, that" and "Commissioners of Her Majesty's" wherever they occur. | *Ss.* 3, 5 *sup.* 38 & 39 *Vict. c.* 22. *ss.* 2, 4; *s.* 3 *is already rep. except as to colonial postage.* |
| | Sections three and five. | |
| | Section twelve, to "enacted that." | |
| | Section fourteen, to "declared, that." | *S.* 17, *sup.* 17 & 18 *Vict. c.* 94. |
| | Section sixteen, to "enacted that." | |
| | Section seventeen. | *Rest unnecessary, see Interp. Act, s.* 12, *and as to s.* 18, *see* 12 & 13 *Vict. c.* 89. |
| | Section eighteen, from "either under" to "Treasury, . . . . or." | |
| | Section twenty, the word "that" wherever it occurs, except before "is to say." | |
| 10 & 11 Vict. c. 89. | The Town Police Clauses Act, 1847. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | Section three, from "and shall include the Court" to "of Durham." | *S.* 3 *as to part in col.* 2 *obsolete since Judic. Acts.* |
| 10 & 11 Vict. c. 90. | An Act to provide for the Execution of the Laws for the Relief of the Poor in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary, and as to s.* 24, *see Interp. Act, s.* 12. |
| | The words "And be it enacted, that" in sections seven, nine, twelve, fourteen, fifteen, seventeen, and twenty-four. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 90. —*cont.* | Section eleven, to "enter on their office."<br>The words "And be it declared and enacted, that" in sections nineteen and twenty.<br>Section sixteen, the words "and be it declared and enacted."<br>Section seventeen, from "from and after" to "their office."<br>Section twenty-one, the word "that" before "every such."<br>Section twenty-four, from "and that the words" to the end of the section. | |
| 10 & 11 Vict. c. 91. | An Act to increase the Number of Trustees for the Herring Fishery, and to direct the Application of the Funds granted for the Promotion of Manufactures and Improvements, in Scotland.<br>In part; namely,—<br>Title from "to increase" to "Fishery, and."<br>Preamble.<br>Section one.<br>The words "And be it enacted, that," "Commissioners of Her Majesty's," and "said Commissioners of Her Majesty's" wherever they occur.<br>Section two, the words "or any three of them" and "under their hands." | *Title as to part col. 2 unnecessary if s. 1 is repealed.*<br>*Preamble unnecessary.*<br>*Sect. 1 virt. rep. 45 & 46 Vict. c. 78. s. 3.*<br>*Rest unnecessary.* |
| 10 & 11 Vict. c. 92 | An Act for the Protection of Mussel Fisheries in Scotland.<br>In part; namely,—<br>Section one, to "same, that."<br>Section two, to "enacted, that."<br>Section three, to "enacted, that."<br>Section four, to "enacted that." | *Unnecessary.* |
| 10 & 11 Vict. c. 94. | An Act to amend an Act to enable Canal Companies to become Carriers upon their Canals.<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>Section two, to "enacted, that."<br>Section three, the words "be it enacted, that."<br>Section four, to "enacted, that. | *Unnecessary.* |
| 10 & 11 Vict. c. 95. | An Act to amend the Law relating to the Protection in the Colonies of Works entitled to Copyright in the United Kingdom.<br>In part; namely,—<br>Preamble and section one, to "same that."<br>Section two, to "enacted, that" and the word "that" before "a copy." | *Unnecessary.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 96. | An Act for better securing Trust Funds, and for the Relief of Trustees.<br>In part; namely,— | |
| | Preamble. | *Sect. 5 unnecessary by reason of transfer of jurisdiction under this Act to High Court*, see *J.A.* 1873, *s.* 16. |
| | Section one, to "same, that," the word "that" before "all trustees," and the words "of the governor and company." | |
| | Section two, to "enacted that." | |
| | Section five. | *Rest unnecessary.* |
| 10 & 11 Vict. c. 98. | An Act to amend the Law as to Ecclesiastical Jurisdiction in England.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 10 & 11 Vict. c. 100. | An Act to regulate the Superannuation Allowances of the Constabulary Force in Ireland and the Dublin Metropolitan Police.<br>In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that," "or other chief governor or governors of Ireland," "or other chief governor or governors," and "Commissioners of Her Majesty's" wherever they occur. | |
| | Section three, the words "or their." | |
| | Section four, the words "or any three or more of them" and the words "of the Lord Lieutenant" where secondly occurring. | |
| | The words "or any three or more of them" in sections five, eight, and ten. | |
| | Section ten, the words "of the Lord Lieutenant" where secondly occurring. | |
| 10 & 11 Vict. c. 104. | An Act the title whereof begins with the words "An Act to explain" and ends with the words "of Parliament."<br>In part; namely,— | |
| | Title, from "and to continue" to the end of the title. | *Part of title in col. 2, spent: rest unnecessary.* |
| | Preamble. | |
| | Section two, to "enacted that." | |
| | Section three, the words "and be it enacted." | |
| | Section four, to "enacted, that." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 10 & 11 Vict. c. 108. | An Act for establishing the Bishoprick of Manchester, and amending certain Acts relating to the Ecclesiastical Commissioners for England. | |
| | In part; namely,— | |
| | Preamble, to "Churches of Wales And." | *Latter part of s. 2 spent and superseded 41 & 42 Vict. c. 68. s. 5.* |
| | Section two, to "enacted, that" and from "and whenever" to the end of the section. | |
| 10 & 11 Vict. c. 109. | An Act for the Administration of the Laws for Relief of the Poor in England. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" in sections five, eleven, thirteen, fifteen, seventeen, nineteen, twenty, twenty-one, twenty-four, twenty-five, and twenty-nine. | |
| | Section nineteen, from "Lord" to "Majesty's" where those words respectively twice occur. | |
| | Section twenty-two, from "Lord" to "Majesty's" and the words "for the time being." | |
| | Section twenty-three, the words "and be it enacted." | |
| | Section twenty-six, to "enacted, that." | |
| 10 & 11 Vict. c. 111. | An Act to extend the Provisions of the Act for the Inclosure and Improvement of Commons. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | Section two, the words "and be it enacted." | |
| | Section three, to "declared, that." | |
| | Section five, to "enacted that." | |
| | The words "And be it enacted, that" in sections four and seven to nine. | |
| 10 & 11 Vict. c. 113. | An Act to facilitate the Drainage of Lands in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in sections seven, ten, and sixteen. | |
| | Section two, the word "that" before "notice." | |
| | The words "and be it enacted" in sections seven, ten, and sixteen. | |
| | Section sixteen, the words "and Forests" occurring twice. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 2. | An Act for the better Prevention of Crime and Outrage in certain parts of Ireland until the First day of December one thousand eight hundred and forty-nine, and to the End of the then next Session of Parliament. | *Expired.* [*Last continued by* 38 *&* 39 *Vict. c.* 14. *to* 1880.]. |
| 11 & 12 Vict. c. 5. | An Act the title of which begins with the words "An Act to suspend" and ends with the words "in lieu thereof." Repealed as to all Her Majesty's dominions. | *Virt. rep.* 15 *&* 16 *Vict. c.* 72. *s.* 1. |
| 11 & 12 Vict. c. 12. | An Act for the better Security of the Crown and Government of the United Kingdom. | |
| | In part; namely,— | |
| | Preamble. | *S.* 4 *and words as to open speaking in s.* 3 *spent. See Stephen Dig. Cr. Law, Art.* 62 *and note.* |
| | Section two, to "enacted, that." | |
| | The words "And be it enacted that" in sections three, five, eight, and ten. | |
| | Section three, the words "her heirs or successors" wherever they occur, and the words "or them," "or their," and "or by open and advised speaking." | *Rest unnecessary.* |
| | Section four. | |
| | The words "and be it enacted" in sections six, seven, and nine. | |
| 11 & 12 Vict. c. 13. | An Act for amending the Law for the leasing of Mines in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same . . . that." | |
| | The words "And be it enacted, that" wherever they occur. | |
| 11 & 12 Vict. c. 21. | An Act to consolidate and amend the Laws relating to Insolvent Debtors in India. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in sections twelve, thirty-seven, forty-three, fifty-seven, sixty-two, seventy-nine, eighty-one, eighty-three, eighty-four, eighty-six, and ninety-four, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections twelve, thirty-seven, forty-three, fifty-seven, sixty-two, seventy-nine, eighty-one, eighty-three, eighty-four, eighty-six and ninety-four. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 21. —*cont.* | Section five, to "take effect."<br>Section eight, to "take effect."<br>Section fourteen, to "operation" and from "in the course" to "afterwards."<br>Repealed as to all Her Majesty's dominions. | |
| 11 & 12 Vict. c. 25. | An Act to extend the Powers given by former Acts for purchasing or hiring Land in connexion with or for the Use of Workhouses in Ireland; and for providing for the Burial of the Poor.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur.<br>Section two, the word "that" before "all the." | |
| 11 & 12 Vict. c. 26. | An Act the title of which begins with the words "An Act to remove" and ends with the words "other Cases."<br>In part; namely,— | |
| | Preamble, to "trouble therein." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur.<br>Section six, to "therefore enacted that" and the word "that" before "wherever."<br>Section seven, to "this Act." | |
| 11 & 12 Vict. c. 28. | An Act to amend the Law of Imprisonment for Debt in Ireland, and to improve the Remedies for the Recovery of Debts and of the Possession of Tenements situate in Cities and Towns in certain Cases.<br>In part; namely,— | |
| | Title, from "and of the" to the end of the title. | *Unnecessary.* |
| | Preamble.<br>The words "and be it enacted" in sections seven and eight.<br>Section three, the words "after the passing of this Act."<br>The words "And be it enacted, that" in sections eighteen and nineteen.<br>Section eighteen, the words "and the schedule thereto annexed." | |
| 11 & 12 Vict. c. 29. | An Act to enable Persons having a Right to kill Hares in England and Wales to do so, by themselves or Persons authorized by them, without being required to take out a Game Certificate. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 29. —*cont.* | In part; namely,— | |
| | Preamble. | *Sect.* 4 *superseded* 23 & 24 *Vict. c.* 90. *s.* 5. |
| | Section one, to "of this Act." | |
| | The words "and be it enacted" in sections two, five, and six. | *Rest unnecessary.* |
| | The words "And be it enacted, that" in sections three and eight. | |
| | Section four. | |
| | Section seven, to "enacted, that" and the word "that" wherever it occurs. | |
| 11 & 12 Vict. c. 30. | An Act to enable all Persons having at present a Right to kill Hares in Scotland to do so themselves, or by Persons authorized by them, without being required to take out a Game Certificate. | |
| | In part; namely,— | |
| | Preamble. | *Part of s.* 1 *in cl.* 2 *obsolete.* |
| | Section one, to "of this Act," and from "without the payment" to "aforesaid, and." | *Sect.* 3 *superseded* 23 & 24 *Vict. c.* 90. *s.* 5. |
| | The words "And be it enacted, that" in sections two, five, and six. | *Rest unnecessary.* |
| | Section three. | |
| | Section four, the words "and be it enacted." | |
| 11 & 12 Vict. c. 31. | An Act to amend the Procedure in respect of Orders for the Removal of the Poor in England and Wales, and Appeals therefrom. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 11 & 12 Vict. c. 32. | An Act to facilitate the Collection of County Cess in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two and three. | |
| 11 & 12 Vict. c. 36. | An Act for the Amendment of the Law of Entail in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section thirty-seven, to "passing of this Act." | |
| | Section forty-one, from "by which Act" to "in Scotland" where those words first occur, and from "the said provision" to "repealed, and." | |
| | Section forty-eight, to "of this Act." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 37. | An Act to amend the Law relative to the Assignment of Ecclesiastical Districts. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | Section two, to "enacted that." | |
| | Section three, to "enacted, that." | |
| | Section four, to "declared that." | |
| | Section five, to "enacted, that." | |
| 11 & 12 Vict. c. 42. | An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions within England and Wales with respect to Persons charged with indictable Offences. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted, that" and "And be it declared and enacted, that" wherever they occur. | |
| | Section five, the word "that" before "all such." | |
| | Section six, the word "that" before "all and." | |
| | Section seven, to "enacted that." | |
| | Section fourteen, the words "or steward" and "stewards officers." | |
| | Section fifteen, the words "or steward" twice occurring, and the word "steward" where it last occurs. | *Interp. Act*, 1889. |
| | Section twenty-two, to "enacted that." | |
| | Section twenty-nine, the word "that" before "the several" and before "nothing." | |
| | Section thirty, the word "that" before "nothing." | |
| 11 & 12 Vict. c. 43. | An Act to facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within England and Wales, with respect to summary Convictions and Orders. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *S.* 31 (*as to part in Col.* 2), s. 32, *and Schedule, virt. rep. by Sum. Jur. Rules*, 1886, *Rule* 32. |
| | The capital letters and figures within brackets referring to the Schedule, wherever they occur. | *Rest unnecessary.* |
| | The words "And be it enacted, that" and "And be it declared and enacted, that" wherever they occur. | |
| | Section ten, the word "that" before "every." | |
| | Section thirty-one, from "in the form" to "like effect." | |
| | Section thirty-two. | |
| | Section thirty-three, the word "that" before "the several" and before "nothing." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 43. —*cont.* | Section thirty-four, the word "that" before "nothing." | |
| | Section thirty-seven, the word "that" before "nothing." | |
| | Schedule. | |
| 11 & 12 Vict. c. 44. | An Act to protect Justices of the Peace from vexatious Actions for Acts done by them in execution of their Office. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section four, the word "that" before "in all cases." | |
| | Section five, to "enacted that." | |
| 11 & 12 Vict. c. 46. | An Act for the Removal of Defects in the Administration of Criminal Justice. | |
| | In part; namely,— | |
| | Section four, to "enacted that." | *Unnecessary.* |
| | Section five, to "enacted, that." | |
| 11 & 12 Vict. c. 47. | An Act for the Protection and Relief of the destitute Poor evicted from their Dwellings in Ireland. | |
| | In part; namely,— | |
| | Section one, to "of this Act." | *Interp. Act, s. 12, and unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section eight, the words "the Lords Commissioners of" and "and Forests." | |
| 11 & 12 Vict. c. 48. | An Act to facilitate the Sale of Incumbered Estates in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in sections nine, twelve, fifteen, nineteen, twenty-eight, thirty-two, thirty-four to thirty-eight, forty-four, forty-eight, fifty-three, fifty-five to fifty-eight, sixty-one, sixty-two, sixty-seven, and sixty-nine, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections nine, twelve, fifteen, nineteen, twenty-eight, thirty-two, thirty-four to thirty-eight, forty-four, forty-eight, fifty-three, fifty-five to fifty-eight, sixty-one, sixty-two, sixty-seven, and sixty-nine. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 48. —*cont.* | Section ten, the words "her heirs and successors."<br>Section seventeen, to "passing of this Act."<br>Section twenty-seven, the words "her heirs and successors."<br>Section thirty-seven, from "or other" to "of Ireland."<br>Section seventy-two, to "enacted, that," and the word "that" before "such judgment." | |
| 11 & 12 Vict. c. 55. | An Act for consolidating the Offices of Paymasters of Exchequer Bills and Paymaster of Civil Services with the Office of Paymaster General, and for making other Provisions in regard to the consolidated Offices.<br>In part; namely,—<br>Preamble.<br>Section one.<br>Section two, to "Paymaster General" where those words first occur.<br>The words "And be it enacted, that" in sections three, five, and nine.<br>Section four, to "enacted that," the words "said Commissioners of Her Majesty's," and "the Governor and Company of."<br>Section five, the words "Commissioners of Her Majesty's."<br>Section six, to "Company of" where those words first occur, and the words "said Governor and Company of the."<br>Section seven, to "enacted that," and the words "Governor and Company of the."<br>Section eight, to "this Act," and from "standing in" to "Anderson." | *Preamble leads up to s. 1, which is spent: rest unnecessary.*<br>*Interp. Act*, 1889.<br>*Parts of sect. 8 in col. 2 spent.* |
| 11 & 12 Vict. c. 68. | An Act for extending to Ireland an Act passed in the last Session of Parliament, intituled "An Act for better "securing Trust Funds, and for the "Relief of Trustees."<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>The words "Governor and Company of the" in sections one and three.<br>The words "And be it enacted, that" wherever they occur. | *Unnecessary.*<br>*Interp. Act*, 1889. |
| 11 & 12 Vict. c. 69. | An Act the title of which begins with the words "An Act to repeal" and ends with the words "respect of Robbery."<br>In part; namely—<br>Title from "and to repeal" to end of title.<br>Preamble. | *Unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 69. —*cont.* | The words "And be it enacted, that" in sections two and five.<br>Section two, the words "after the passing of this Act." | |
| 11 & 12 Vict. c. 72. | An Act to amend the Acts relating to the Constabulary Force in Ireland, and to amend the Provisions for the Payment of Special Constables.<br>In part; namely,— | |
| | Preamble. | *In part spent. Rest unnecessary.* |
| | The words "And be it enacted, that" in sections five, fourteen, and fifteen. | |
| | Section three, to "and Ireland," from "or other" to "of Ireland," and from "after" to "forty-eight." | |
| | Section five, from "or other" to "of Ireland." | |
| | Session six, the words "or other chief governor or governors" twice occurring. | |
| | Section eight, from "or other" to "of Ireland." | |
| | Section nine, to "this Act." | |
| | Section ten, to "passing of this Act," and the words "or other chief governor or governors of Ireland," wherever they occur. | |
| | Section eleven, the words "from and after the passing of this Act." | |
| | Section twelve, the words "the Lords of," the words "Commissioners of Her Majesty's" where they first and thirdly occur, the words "or any three of them," and "the Governor and Company of." | *Interp. Act*, 1889. |
| 11 & 12 Vict. c. 74. | An Act to authorize the Lords of Council and Session to regulate the Rates or Dues of Registration to be charged by the Keepers of the Registers of Sasines, Reversions, &c. in Scotland.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Unnecessary.* |
| | Section two, to "enacted, that." | |
| 11 & 12 Vict. c. 78. | An Act for the further Amendment of the Administration of the Criminal Law.<br>In part; namely,— | |
| | Preamble and section one, to "same, that." | *Part of s. 3 in col. 2, which is rep. as to E., by S. L. R. A., 1875. virt. rep. as to I., 40 & 41 Vict. c. 57. s. 50. Rest unnecessary.* |
| | The words "And be it enacted, that," wherever they occur. | |
| | Section three, to "convenient place; and." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 79. | An Act to facilitate and simplify Procedure in the Court of Justiciary in Scotland. | |
| | In part; namely,— | |
| | Preamble. | *Sects.* 1, 2, 6 *and* 9 *superseded* 50 & 51 *Vict. c.* 35. |
| | The words "And be it enacted, that" wherever they occur. | |
| | Sections one and two. | *Rest unnecessary.* |
| | Section three, the words "criminal letters." | |
| | Section six. | |
| | Section seven, to "enacted, that." | |
| | Section nine. | |
| | Section ten, to "declared, that." | |
| 11 & 12 Vict. c. 80. | An Act the title of which begins with the words "An Act to empower" and ends with the words "in Ireland." | |
| | In part; namely,— | |
| | Title from "and also to empower" to the end of title. | *Unnecessary.* |
| | Preamble and section one, to "of this Act." | |
| 11 & 12 Vict. c. 82. | An Act to amend the Law for the Formation of Districts for the Education of Infant Poor. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Part of title of* 5 & 6 *Vict. c.* 57, *in col.* 2 *is rep. S.L.R.A.*, 1888 (*No.* 2). |
| | Section two, to "enacted, that," and from "to continue" to "Commission; and." | |
| | Section three, to "enacted, that." | |
| 11 & 12 Vict. c. 83. | An Act to confirm the Awards of Assessionable Manors Commissioners, and for other Purposes relating to the Duchies of Cornwall and Lancaster. | |
| | In part; namely,— | |
| | Section seven, the words "commenced after the passing of this Act." | *Unnecessary, and as to s.* 15, *see savings in Bill.* |
| | Section eight, to "enacted, that." | |
| | Section nine, to "enacted, that." | |
| | Section ten, to "enacted, that." | |
| | Section eleven, to "or otherwise" and the word "said" before "prothonotary." | |
| | Section twelve, to "enacted, that." | |
| | Section thirteen, to "declared, that." | |
| | Section fifteen. | |
| 11 & 12 Vict. c. 87. | An Act the title of which begins with the words "An Act to extend" and ends with the words "Real Estate." | |
| | In part; namely,— | |
| | Preamble and section one, to "of the same," and the word "that" before "the said." | *Unnecessary.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 88. | An Act for further regulating the Money Order Department of the Post Office.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed.<br>Section two, the words "Commissioners of Her Majesty's."<br>Section five, to "enacted, that."<br>Section six, to "Treasury . . . and that" and the words "Commissioners of Her Majesty's" where they next occur, and from "either under" to "Treasury . . . or." | *Unnecessary.*<br>*Interp. Act*, 1889. |
| 11 & 12 Vict. c. 89. | An Act the title of which begins with the words "An Act to continue" and ends with the words "Oaths in Ireland." | *Expired.* [*Last continued to* 1 *June* 1880 *by* 38 & 39 *Vict. c.* 14. *s.* 4.] |
| 11 & 12 Vict. c. 90. | An Act to regulate the Times of Payment of Rates and Taxes by Parliamentary Electors.<br>In part; namely,—<br>Preamble and section one, to "same, that," and the word "that" before "no person." | *Unnecessary.* |
| 11 & 12 Vict. c. 91. | An Act to make Provision for the Payment of Parish Debts, the Audit of Parochial and Union Accounts, and the Allowance of certain Charges therein.<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>Section two, the words "and be it enacted."<br>The words "And be it enacted, that" wherever they occur except in section two.<br>Section five, to "enacted, that." | *Unnecessary.* |
| 11 & 12 Vict. c. 92. | An Act for the Protection and Improvement of the Salmon, Trout, and other Inland Fisheries of Ireland.<br>In part; namely,—<br>Preamble and section one, to "same, that."<br>The words "And be it enacted, that" wherever they occur except in section thirty-seven.<br>Section eight, to "forty-nine," the words "the said year or" and "subsequent." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 92. —*cont.* | Section thirteen, the words "after the "year one thousand eight hundred "and forty-nine" twice occurring. | |
| | Section nineteen, from "in the year" to "forty-nine, and" and the word "subsequent." | |
| | Section twenty-three, the words "after the passing of this Act." | |
| | Section thirty-seven, the words "and be it enacted." | |
| | Section thirty-nine, to "enacted, that." | |
| | Section forty-two, to "enacted, that." | |
| 11 & 12 Vict. c. 99. | An Act to further extend the Provisions of the Act for the Inclosure and Improvement of Commons. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that" and the word "that" before "where." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section thirteen, to "enacted, that." | |
| 11 & 12 Vict. c. 101. | An Act to provide for the Expenses of erecting and maintaining Lock-up Houses on the Borders of Counties. | |
| | In part; namely,— | |
| | The words "And be it enacted, that" wherever they occur. | *Unnecessary.* |
| 11 & 12 Vict. c. 102. | An Act the title of which begins with the words "An Act to enlarge" and ends with the words "Her Majesty's Woods." | |
| | In part; namely,— | |
| | Section seven, the words "and be it enacted." | *Unnecessary.* |
| | Section eight, to "therefore enacted, that" and the word "that" before "in each." | |
| | The words "And be it enacted, that" wherever they occur, the words "Her Majesty's" wherever they occur before "Woods," the words "Forests, "Land Revenues, Works, and Build- "ings" wherever they occur, the words "Lord High Treasurer or the Commissioners of Her Majesty's" wherever they occur, the word "said" occurring before the words so repealed, and the words "for the time being" wherever they occur. | *Interp. Act*, 1889. |
| | Section nine, the words "after the passing of this Act," from "by writing" to "or hands," the words "he or," and from "said Lord" to next following "Majesty's." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 104. | An Act for amending the Act regulating the Prison at Millbank.<br>In part; namely,—<br>Preamble.<br>Section one to "same, . . . . that" the words "persons so appointed," "as the case may be," and "from "and after the appointment of such "visitors as aforesaid." | *Spent or unnecessary.* |
| 11 & 12 Vict. c. 110. | An Act to alter the Provisions relating to the Charges for the Relief of the Poor in Unions.<br>In part; namely,—<br>Preamble.<br>The words "And be it enacted, that" wherever they occur.<br>Section two, the word "such" where first occurring before "union." | *Unnecessary.* |
| 11 & 12 Vict. c. 111. | An Act the title of which begins with the words "An Act to amend" and ends with the words "of the Poor."<br>In part; namely,—<br>Preamble, and to "same, that." | *Unnecessary.* |
| 11 & 12 Vict. c. 113. | An Act for the further Amendment of the Acts relating to the Dublin police.<br>In part; namely,—<br>Preamble.<br>Section one, to "passing of this Act" and from "or other" to "of Ireland." | *Unnecessary.* |
| 11 & 12 Vict. c. 118. | An Act the title of which begins with the words "An Act to explain" and ends with the words "United Kingdom."<br>In part; namely,—<br>Title from "the Law as to" to "Ireland, and."<br>Preamble.<br>Section two, to "thereto, and," from "for and in respect" where those words next occur to "same, and," and from "and all duties" where those words next occur, to "Commissioners of Stamps" where those words next occur.<br>Section three, to "Be it enacted, that," the words "Commissioners of Excise or," where those words secondly occur. and the word "respectively." | *Part of title in col. 2, and preamble apply only to repealed section.*<br>*As to parts of s. 2 in col. 2, carries out repeals made by S.L.R. Act, 1875.*<br>*As to Com. of Excise in s. 3, virt. rep. 53 & 54 Vict. c. 21. s. 21.* |
| 11 & 12 Vict. c. 119. | An Act to simplify the Forms of Certificates under the Act authorizing the Advance of Money for the Improvement of Land by Drainage in Great Britain. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 119. —*cont.* | In part; namely,— | |
| | Preamble and to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two and four. | |
| | Section two, the words "Commissioners of her Majesty's." | |
| | Section three, the words "and be it enacted." | |
| 11 & 12 Vict. c. 120. | An Act to facilitate the Transfer of Landed Property in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "this Act." | |
| | The words "And be it enacted, that," "Commissioners of Her Majesty's," the word "said" before those words, the words "for the time being" and "or any three of them" wherever they respectively occur. | |
| | Section three, the word "that" before "the said." | |
| | The words "under their hands" in sections seven and nine. | |
| | Section seven, to "enacted that." | |
| | Section nine, the word "that" before "it shall." | |
| | Section ten, to "therefore enacted that." | |
| | Section eleven, to "this Act." | |
| | Section twelve, to "this Act." | |
| | Section thirteen, to "enacted, that" and the word "so" before "filed." | |
| | Section fourteen, the words "after the passing of this Act." | |
| 11 & 12 Vict. c. 121. | An Act the title of which begins with the words "An Act to alter" and ends with the words "Laws of Excise." | |
| | In part; namely,— | |
| | Title, from "and respecting the Distribution" to the end of the title. | *Part of title in col. 2 unnecessary having regard to repeal of s. 28; rest unnecessary.* |
| | Section nine, to "this Act." | |
| | The words "And be it enacted, that" wherever they occur. | |
| 11 & 12 Vict. c. 122. | An Act the title of which begins with the words "An Act to amend" and ends with the words "Customs Warehouse." | |
| | In part; namely,— | |
| | Title, from "the Warehousing" to "Mixtures, and." | *Part of title in col. 2 refers only to repealed sections.* |
| 11 & 12 Vict. c. 130. | An Act the title of which begins with the words "An Act for guaranteeing" and ends with the words "certain Purposes." | *Spent. Loans under this Act to the full extent of 500,000l. were raised and guaranteed (See Parl. Return No. 219 of 1870). These loans have now been repaid.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 11 & 12 Vict. c. 132. | An Act for the Appointment of additional Taxing Masters for the High Court of Chancery in Ireland, and to regulate the Appointment of the Principal Assistants to the Masters in the Superior Courts of Law in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Parts of s.* 1 *in col.* 2 *sup.* 40 *&* 41 *Vict. c.* 57. *s.* 72 *and* 30 *&* 31 *Vict. c.* 129. *s.* 26. |
| | Section one, to "of this Act," and from "and the business" to the end of the section. | |
| | Section two, to "masters, and that," the word "that" before "as often," and from "Provided always" to the end of the section. | *Part of s.* 2 *in col.* 2 *spent, and as to proviso virt. rep.* 30 *&* 31 *Vict. c.* 129. *s.* 26. |
| | Section three. | |
| | Section four, to "enacted, that," and the words "Commissioners of Her Majesty's." | *S.* 3 *in part virt. rep.* 30 *&* 31 *Vict. c.* 129. *s.* 26, *in part virt. rep.* 40 *&* 41 *Vict. c.* 57. *s.* 73. |
| | Sections five and six. | |
| | Section seven, to "enacted, that." | |
| | Section eight. | *Ss.* 5, 6, *virt. rep. or sup.* 40 *&* 41 *Vict. c.* 57. *s.* 76. |
| | | *Sect.* 8 *virt. rep.* 30 *&* 31 *Vict. c.* 129. *s.* 35, *and see* 40 *&* 41 *Vict. c.* 57. *s.* 73. |
| | | *Rest unnecessary.* |
| 12 & 13 Vict. c. 4. | An Act to amend the Law relating to the Appointment of Vice Guardians of Unions in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section three, to "enacted, that." | |
| 12 & 13 Vict. c. 6. | An Act to repeal an Act of the Twenty-first Year of George the Second, for holding the Summer Assizes at Buckingham; and to authorize the Appointment of a more convenient Place for holding the same. | *Spent.* |
| 12 & 13 Vict. c. 8. | An Act to remove Doubts as to the Appointment of Overseers in Cities and Boroughs. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | Section four, to "enacted, that." | |
| 12 & 13 Vict. c. 13. | An Act to provide a more effectual Regulation and Control over the Maintenance of poor Persons in Houses not being the Workhouses of any Union or Parish. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 13. —*cont.* | The words "And be it enacted, that" wherever they occur except in section two.<br>Section two, the words "and be it enacted." | |
| 12 & 13 Vict. c. 14. | An Act to enable Overseers of the Poor and Surveyors of the Highways to recover the Costs of distraining for Rates.<br>In part; namely,—<br>Preamble and section one to "same, that."<br>Section two, to "therefore enacted that."<br>The words "And be it enacted that" wherever they occur.<br>Section eight, to "enacted, that." | *Unnecessary.* |
| 12 & 13 Vict. c. 16. | An Act to protect Justices of the Peace in Ireland from vexatious Actions for Acts done by them in the Execution of their Office.<br>In part; namely,—<br>Preamble and section one to "same, that."<br>The words "And be it enacted, that" wherever they occur.<br>Section four, the word "that" before "in all cases."<br>Section five, to "enacted, that." | *Unnecessary.* |
| 12 & 13 Vict. c. 18. | An Act for the holding of Petty Sessions of the Peace in Boroughs, and for providing Places for the holding of such Petty Sessions in Counties and Boroughs.<br>In part; namely,—<br>Section two, to "enacted, that."<br>Section three, the words "and be it enacted." | *Unnecessary.* |
| 12 & 13 Vict. c. 25. | An Act for giving effect to the Stipulations of a Treaty between Her Majesty and the Queen of Portugal for the Apprehension of certain Deserters.<br>In part; namely,—<br>Preamble and section one to "same, that."<br>The words, "And be it enacted, that" wherever they occur. | *Unnecessary.* |
| 12 & 13 Vict. c. 26. | An Act for granting Relief against Defects in Leases made under Powers of Leasing, in certain Cases.<br>In part; namely,—<br>Preamble and section one to "same, that."<br>The words "And be it enacted, that" wherever they occur, except in section six.<br>Section two, the word "such" where it first occurs before "power," and the words "as aforesaid."<br>Section six, the words "and be it enacted." | *Unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 27. | An Act to remove Doubts concerning the Transportation of Offenders under Judgment of Death to whom Mercy may be extended in Ireland. | |
| | In part; namely,— | |
| | Preamble— | *Unnecessary.* |
| | Section one to "same, that," the words "or other Chief Governor or Governors of Ireland for the time being" twice occurring, and "or other Chief Governor or Governors." | |
| | Section two, to "enacted, that." | |
| 12 & 13 Vict. c. 31. | An Act for requiring the Transmission of the annual Abstracts and Statements of Trustees of Turnpike Roads and Bridges in Scotland to the Secretary of State, to be laid before Parliament. | *Spent and superseded,* 41 & 42 *Vict. c.* 51. *s.* 121. |
| 12 & 13 Vict. c. 34. | An Act to amend an Act regulating the Justice of the Peace Small Debt Courts in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two to four. | |
| | Section two, from "either" to "this Act." | |
| 12 & 13 Vict. c. 45. | An Act to amend the Procedure in Courts of General and Quarter Sessions of the Peace in England and Wales, and for the better Advancement of Justice in Cases within the Jurisdiction of those Courts. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Parts of ss.* 12, 13 *and s.* 15 *sup. or virt. rep. Arbitr. Act,* 1889. |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section three, to "enacted, that." | |
| | Section six, the words "be it enacted, that." | *Rest unnecessary.* |
| | Section seven, to "enacted, that." | |
| | Section eight, to "enacted that." | |
| | Section twelve, to "enacted that" and from "and to agree" to "therein provided for." | |
| | Section thirteen, from "and such order" to "of either party," and from "Provided always" to the end of the section. | |
| | Section fifteen. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 48. | An Act to provide for the Administration of Justice in Vancouver's Island. | |
| | In part; namely,— | |
| | Preamble. | *Preamble leads up to repeal in s.* 1. |
| | Section one, to "Island aforesaid; and," and the words "and as well before as "after such proclamation." | *S.* 2 *virt. rep.* 29 *&* 30 *Vict. c.* 67. |
| | Section two. | *Rest unnecessary.* |
| | Section three, the words "and be it enacted." | |
| | Section four, to "enacted, that." | |
| | Repealed as to all Her Majesty's dominions. | |
| 12 & 13 Vict. c. 49. | An Act to extend and explain the Provisions of the Acts for the granting of Sites for Schools. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" in sections two, six, and seven. | |
| | Section three, to "enacted that." | |
| | Section four, to "enacted that," the word "such" before "absolute," and the words "as aforesaid." | |
| 12 & 13 Vict. c. 50. | An Act for further amending the Laws relating to Sewers. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 12 & 13 Vict. c. 51. | An Act for the better Protection of the Property of Pupils, absent Persons, and Persons under Mental Incapacity in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *S.* 39 *virt. rep.* 52 *&* 53 *Vict. c.* 39. *s.* 16. |
| | The words "And be it enacted, that" wherever they occur. | *Rest spent or unnecessary.* |
| | Section twenty-two, to "enacted," and the word "that" before "if no." | |
| | Section twenty-three, to "enacted" and the word "that" before "any settlement." | |
| | Section twenty-four, to "enacted, that," from "Commissioners" to "Majesty's" and the words "or any three or more of them." | |
| | Section twenty-six, to "this Act." | |
| | Section thirty-seven, to "this Act." | |
| | Section thirty-nine. | |
| 12 & 13 Vict. c. 53. | An Act for consolidating and amending several of the Laws relating to Attornies and Solicitors in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section two, to "this Act," and the word "that" before "it shall be lawful for such." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 53. —*cont.* | The words "And be it enacted, that" in sections three to nine. | |
| | Section eight, the word "that" before "upon the." | |
| 12 & 13 Vict. c. 59. | An Act to amend an Act of the Tenth Year of Her Majesty, for facilitating the Improvement of Landed Property in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," and the words "Commissioners of her Majesty's." | |
| | The words "And be it enacted, that" wherever they occur. | |
| 12 & 13 Vict. c. 64. | An Act the title of which begins with the words "An Act to remove," and ends with the words "and Boroughs." | |
| | In part; namely,— | |
| | Preamble, and to "same, that." | *Unnecessary.* |
| 12 & 13 Vict. c. 66. | An Act for enabling Colonial Legislatures to establish Inland Posts. | |
| | In part; namely,— | |
| | Preamble, and to "same, that." | *S. 5 in part spent (no such Act passed); in part superseded by Colonial Acts passed under powers of 31 & 32 Vict. c. 92. Rest unnecessary.* |
| | The words "and be it enacted" in sections two and four. | |
| | The words "And be it enacted, that" in sections three and six. | |
| | Section five. | |
| | The words "Commissioners of Her Majesty's" in section four. | |
| | Repealed as to all Her Majesty's dominions. | |
| 12 & 13 Vict. c. 67. | An Act to extend the Remedies of Sequestrators of Ecclesiastical Benefices. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "passing of this Act," and the words "then have been or who shall thereafter." | |
| | Section two, to "enacted, that," and the word "that" before "such sequestrator." | |
| 12 & 13 Vict. c. 68. | An Act for facilitating the Marriage of British Subjects resident in Foreign Countries. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," and the words "from and after the passing of this Act." | |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section nine, the words "United" and "and Ireland" respectively occurring twice. | |
| | Section eighteen, the word "that" wherever it occurs. | |
| | Section twenty-one to "enacted that." | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 69. | An Act to facilitate the Performance of the Duties of Justices of the Peace out of Quarter Sessions in Ireland with respect to Persons charged with Indictable Offences. | |
| | In part; namely,— | |
| | Preamble and section one, to "same, that." | *S.* 23 *and Schedule as to parts in col.* 2 *virt. rep.* 14 *&* 15 *Vict. c.* 100. *s.* 27. |
| | The words "And be it enacted, that" and "And be it declared and enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *S.* 30, *as to part in col.* 2 *falls with repeal of Acts referred to.* |
| | Section seven, to "this Act." | *Ss.* 32, 34, 35 *spent.* |
| | Section twenty-two to "enacted, that." | *Rest unnecessary.* |
| | Section twenty-three, the words "or "other chief governor or governors of Ireland," and "or their," and from "Provided also" to the end of the section. | |
| | Section thirty, from "the provisions of an Act" to "the same, or." | |
| | Sections thirty-two, thirty-four, and thirty-five. | |
| | Schedule (S. 1.) Form of condition of Recognizance of Bail where the Defendant is entitled to a Traverse. | |
| 12 & 13 Vict. c. 72. | An Act further to amend the Acts relating to the Offices of the House of Commons. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that" and the words "Governor and Company of the." | |
| | Section five, the words "Commissioners of her Majesty's." | *Interp. Act*, 1889. |
| | Section six, to "enacted, that." | |
| 12 & 13 Vict. c. 74. | An Act for the further relief of Trustees. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," and the words "Governor and Company of the." | *See Interp. Act, s.* 12. |
| 12 & 13 Vict. c. 76. | An Act to protect Women from fraudulent Practices for procuring their Defilement. | *Rep. exc. as to Scotland* 24 *&* 25 *Vict. c.* 95, *the substituted provision as to E. & I. being* 24 *&* 25 *Vict. c.* 100. *s.* 49. *The last-mentioned sect. is rep. by* 48 *&* 49 *Vict. c.* 69, *which extends to Scotland and supersedes this Act.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 78. | An Act for the more effectual Taxation of Costs on Private Bills in the House of Lords, and to facilitate the Taxation of other Costs on Private Bills in certain Cases. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 12 & 13 Vict. c. 82. | An Act to relieve Boroughs, in certain Cases, from Contribution to certain Descriptions of County Expenditure. | *S.* 2 *sup. L. G. Act,* 1888. *Ss.* 4 *and* 5 *fall with s.* 2. *Rest already repealed.* |
| 12 & 13 Vict. c. 83. | An Act further to facilitate the Inclosure of Commons, and the Improvement of Commons and other Lands. | |
| | In part; namely,— | |
| | Preamble, and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 12 & 13 Vict. c. 89. | An Act to reduce the Number of Signatures required to Instruments issued by the Lords of the Treasury. | |
| | In part; namely,— | |
| | From "Be it enacted," to "same, that." | *Unnecessary.* |
| 12 & 13 Vict. c. 91. | An Act to provide for the Collection of Rates in the City of Dublin. | |
| | In part; namely,— | |
| | Preamble and section one, from "May it therefore" to "and fifty." | *Ss.* 57–59 *spent.* *As to s.* 92, *see Savings in Bill.* |
| | The words "And be it enacted, that" wherever they occur except in sections twenty-one, sixty-five and seventy-six, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest unnecessary.* |
| | The words "and be it enacted" in sections twenty-one, sixty-five and seventy-six. | |
| | Section three, the words "the Governor and Company of." | |
| | Section eight, from "the Bank of the" to "Company of." | |
| | Section ten, the words "the said Governor and Company of" twice occurring. | |
| | Section eleven, the words "said Governor and Company of" twice occurring, and the word "said" before "Bank." | |
| | Section fourteen, the words "the said Governor and Company of." | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 91. — *cont.* | Section twenty-eight, the words "the Governor and Company of." | |
| | Section thirty-five, to "enacted, that" from "on or before" where those words secondly occur, to "fifty-one, and" where those words lastly occur, and the word "succeeding." | |
| | Section thirty-six, to "fifty." | |
| | Section thirty-eight, to "last past; and" from "on or before" to "fifty-one, and," and the word "succeeding." | |
| | Section forty, to "into a law." | |
| | Section forty-one, to "enacted, that," and the words "the Governor and Company of." | |
| | Section forty-four, to "and fifty." | |
| | Section forty-five, to "enacted, that." | |
| | Sections fifty-seven to fifty-nine. | |
| | Section eighty-nine, from "The words Lord Lieutenant" to "of Ireland." | |
| | Section ninety-two. | |
| 12 & 13 Vict. c. 92. | An Act for the more effectual Prevention of Cruelty to Animals. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section two, the words "from and after the passing of this Act." | |
| | Section seven, to "be it enacted, that." | |
| | Section twenty-one, the word "that" before "every sum." | |
| 12 & 13 Vict. c. 95. | An Act to amend the Law concerning Judgments in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *Ss.* 7, 10, *as to part in col.* 2, *virt. rep.* 13 *&* 14 *Vict. c.* 51. *Rest unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in section six, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section two, to "this Act" where those words first occur, and from "save only" to "passing of this Act." | |
| | Section six, the words "and be it enacted." | |
| | Section seven, the words "and of the "Court of Exchequer at the equity "side thereof." | |
| | Section ten, the words "or to the Court "of Exchequer at the equity side "thereof." | |
| 12 & 13 Vict. c. 96. | An Act to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Sect.* 2 *virt. rep.* 37 & 38 *Vict. c.* 27. |
| | Section two. | |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 96. —*cont.* | Section three, to "enacted, that" and the word "that" before "if any." | *s.* 3: *and see* 44 & 45 *Vict. c.* 69. *s.* 23, 47 & 48 *Vict. c.* 31. *s.* 9. *Rest unnecessary.* |
| | Section four, to "enacted that." | |
| | Section five, to "enacted, that." | |
| | Repealed as to all Her Majesty's dominions. | |
| 12 & 13 Vict. c. 99. | An Act the title of which begins with the words "An Act to encourage" and ends with the words "such Marriages." | *S.* 7, *which alone remains and refers to Ireland only, is obsolete since I. Church Act.* |
| 12 & 13 Vict. c. 103. | An Act to continue an Act of the last Session of Parliament, for charging the Maintenance of certain poor Persons in Unions upon the Common Fund; and to make certain Amendments in the Laws for the Relief of the Poor. | |
| | In part; namely,— | |
| | Title from "to continue" to "and." | *Part of title in col.* 2 *refers to s.* 1, *which is repealed: rest unnecessary.* |
| | Preamble. | |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section nine, to "and enacted, that," and the word "that" before "no auditor." | |
| | Section twelve, to "therefore enacted that." | |
| | Section fifteen, to "enacted that." | |
| 12 & 13 Vict. c. 104. | An Act to amend the Acts for the more effectual Relief of the destitute Poor in Ireland. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | Section two, to "passing of this Act." | |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section seven, to "of this Act." | |
| | The words "after the passing of this Act" in sections ten and eleven. | |
| | Section fourteen, to "this Act." | |
| | Section seventeen, to "enacted, that," the words "from and after the passing of this Act," and the word "that" before "upon the" and before "immediately." | |
| | Section nineteen, the words "after the passing of this Act." | |
| | Section twenty, to "enacted, that." | |
| | Section twenty-three, to "therefore enacted that." | |
| | Section twenty-six, the words "Commissioners of Her Majesty's." | *Interp. Act*, 1889. |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 12 & 13 Vict. c. 105. | An Act for converting the renewable Leasehold Tenure of Lands in Ireland into a Tenure in Fee. | |
| | In part; namely,— | |
| | Preamble and section one to "same that." | *Unnecessary.* |
| | The words "at any time after the passing of this Act" twice occurring in section one. | |
| | The words "And be it enacted, that" wherever they occur except in sections four, five, and thirteen. | |
| | The words "and be it enacted" in sections four, five, and thirteen. | |
| | The words "or remembrancer" wherever they occur in sections twenty-three to thirty-one. | *Virt. rep. by* 13 *&* 14 *Vict. c.* 51. |
| | Section twenty-two, the words "or Court "of Exchequer in Ireland on the "equity side thereof." | |
| | Section twenty-eight, the words "or to "the Court of Exchequer at the equity "side thereof." | |
| | Section thirty-eight, from "or the Court" to "may be" and from "and the word remembrancer" to the end of the section. | |
| 12 & 13 Vict. c. 109. | An Act, the title of which begins with the words "An Act to amend" and ends with the words "said Court." | *Ss.* 11 *to* 14, 17 *to* 20, *and* 28 *obsolete, see now Order LXI. of R.S.C.* |
| | In part; namely,— | |
| | Preamble. | *Sects.* 32, 33 *superseded by Orders* 33 *and* 34. |
| | The words "And be it enacted that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Sect.* 38 *unnecessary since Petty Bag Office assigned to Crown Office.* |
| | Sections eleven to fourteen. | *Sect.* 40 *superseded* 38 *&* 39 *Vict. c.* 8. *s.* 10. |
| | Sections seventeen to twenty. | |
| | Section twenty-eight. | |
| | Section twenty-nine, the words "hereafter to be commenced." | *Sect.* 50 *falls with repeal of previous sections.* |
| | Sections thirty-two and thirty-three. | |
| | Sections thirty-eight and forty. | *Rest unnecessary.* |
| | Sections fifty and fifty-one. | |
| 12 & 13 Vict. c. 110. | An Act the title of which begins with the words "An Act for suspending" and ends with the words "certain Cases." | |
| | In part; namely,— | |
| | Preamble and to "same that." | *Unnecessary.* |

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| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 4. | An Act for requiring the Transmission of annual Abstracts of Accounts and Statements of Trustees or Commissioners of Turnpike Roads and Bridges in Ireland to the Lord Lieutenant, to be laid before Parliament. | |
| | In part; namely,— | |
| | Title, the words "Turnpike Roads and." | *As to turnpikes, carries out repeal by S.L.R.A.* 1875. |
| | Preamble and section one to "same, that." | |
| | The words "turnpike road or" "road or" "And be it enacted, that," "or "other Chief Governor or Governors "of Ireland" wherever they occur. | *Rest unnecessary.* |
| | Section two, the words "respective turnpike road and," from "on or before" to "in like manner," and "for the time being the like." | |
| | Section three, the words "roads and" and "turnpike and." | |
| 13 & 14 Vict. c. 7. | An Act for consolidating the Office of the Registrar of Metropolitan Public Carriages with the Office of Commissioners of Police of the Metropolis, and making other Provisions in regard to the consolidated Offices. | |
| | In part; namely,— | |
| | Preamble. | *S.* 3 *spent.* |
| | The words "And be it enacted, that" in sections two, four, seven, and eight. | *Rest unnecessary.* |
| | Section three. | |
| | Section five, to "enacted, that." | |
| | Section six, the words "and be it enacted." | |
| | Section eight, the word "that" before "all the." | |
| 13 & 14 Vict. c. 17. | An Act to amend an Act of the last Session of Parliament, for granting Relief against Defects in Leases made under Powers of Leasing. | |
| | In part; namely,— | |
| | The words "And be it enacted, that" in sections two and three. | *Unnecessary.* |
| 13 & 14 Vict. c. 18. | An Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *S.* 4 *falls with repeal of* 3 *&* 4 *Vict. c.* 105. |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | Section four. | |
| | Section twenty-four. | |
| | Section twenty-seven. | |
| | Sections thirty to thirty-seven. | |
| | Section forty. | |
| | Section forty-one. | |
| | Section forty-two, from "and that when" to the end of the section. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 18. —*cont.* | Section forty-three, to "this Act" where those words first occur.<br>Section forty-four, to "this Act."<br>Sections forty-six to forty-eight.<br>Section fifty-one, from "and that the words recorder" to "as the case may be." | *S.* 25 *superseded* 40 *&* 41 *Vict. c.* 57. *s.* 61.<br>*Ss.* 27, 30, *under Jud. Act, superseded Orders LIV. and LXIII. Manor courts abolished by* 22 *Vict. c.* 14. *s.* 1.<br>*Ss.* 31–33 *virt. rep.* 40 *&* 41 *Vict. c.* 57. *ss.* 72–73.<br>*S.* 34 *obsolete.*<br>*Ss.* 36, 37 *spent, or virt. rep.* 40 *&* 41 *Vict. c.* 57. *ss.* 72, 73.<br>*S.* 40, *superseded J.A.* 1877, *ss.* 37, 72, *Orders IV.* 2, (1) *and Schedule, Rules* 2, 7, *Order of Dec.* 1879.<br>*S.* 41 *superseded J.A.* 1877, *Order LVI., Rule* 22.<br>*S.* 42, *as to part in col.* 2, *superseded by* 16 *&* 17 *Vict. c.* 113. *s.* 124.<br>*Ss.* 46–48 *spent.*<br>*Part of s.* 51 *in col.* 2 *falls with repealed sections.*<br>*Rest unnecessary.* |
| 13 & 14 Vict. c. 20. | An Act to amend an Act of the Fifth and Sixth Years of Her present Majesty, for the Appointment and Payment of Parish Constables.<br>In part; namely,— | |
| | Preamble and section one, to "same, that."<br>Section seven, to "enacted, that," and the word "that" before "nothing herein-before."<br>Section eight, to "enacted that." | *Unnecessary.* |
| 13 & 14 Vict. c. 26. | An Act to repeal an Act of the Sixth Year of King George the Fourth, for encouraging the Capture or Destruction of Piratical Ships and Vessels; and to make other Provisions in lieu thereof.<br>In part; namely,— | |
| | Preamble.<br>The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Unnecessary.* |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 26. —*cont.* | Section three, the words "said Lords Commissioners of the," occurring twice. | |
| | Section five, the words "her heirs and successors." | |
| 13 & 14 Vict. c. 28. | An Act to render more simple and effectual the Titles by which Congregations or Societies for Purposes of Religious Worship or Education in England and Ireland hold Property for such Purposes. | |
| | In part; namely,— | |
| | Preamble and section one to "same, that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| 13 & 14 Vict. c. 29. | An Act to amend the Laws concerning Judgments in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *As to* 5 *&* 6 *Will.* 4. *c.* 55. *the part of s.* 31 *recited is rep. S.L.R.A.* 1874. |
| | Section one, to "same, that" and the words "the sixth year of King William the Fourth and." | |
| | The words "And be it enacted, that" wherever they occur except in section ten. | *Rest unnecessary.* |
| | Section ten, the words "and be it enacted." | |
| | Section twelve, to "enacted, that." | |
| 13 & 14 Vict. c. 31 | An Act to authorize further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances. | |
| | In part; namely,— | |
| | Preamble. | *S.* 1 *spent.* |
| | Section one. | *Rest unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section five, to "repealed and" and the word "such" before "application." | |
| | Section eight, the words "or this Act." | |
| 13 & 14 Vict. c. 36. | An Act to facilitate Procedure in the Court of Session in Scotland. | |
| | In part; namely,— | |
| | Preamble and section one to "same that." | *Ss.* 24 *and* 55 *and part of s.* 37 *spent.* |
| | The words "And be it enacted, that" wherever they occur. | *Rest unnecessary.* |
| | Section sixteen, to "declared, that." | |
| | Section twenty-four. | |
| | Section thirty-seven, to "in future." | |
| | Section forty-eight, to "enacted, that." | |
| | Section fifty, to "enacted, that." | |
| | Section fifty-four, the words "from and after the passing of this Act." | |
| | Section fifty-five. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 37. | An Act for the further Extension of Summary Jurisdiction in Cases of Larceny. | |
| | In part; namely,— | |
| | Preamble. | *As to preamble gives effect to repeal by 42 & 43 Vict. c. 49. s. 55.* |
| | Section one, to "same, that," from "subsequently" to "this Act," and the word "that" before "the provisions." | |
| | The words "And be it enacted, that" in sections two and three. | *Rest unnecessary.* |
| 13 & 14 Vict. c. 39. | An Act for the better Government of Convict Prisons. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," and the word "said" before "prisons." | |
| | Section two, to "enacted, that." | |
| | Section four, the words "from and after the passing of this Act." | |
| 13 & 14 Vict. c. 43. | An Act to amend the Practice and Proceedings of the Court of Chancery of the County Palatine of Lancaster. | |
| | In part; namely,— | |
| | Section one, the words "from and after the passing of this Act," from "with the advice" to "having such custody," and the words "with such advice and consent as aforesaid" where they twice occur. | *As to s.* 1, *carries out rep. by S.L.R.A.* 1875. *Ss.* 22, 23, 28, *and* 37, *and s.* 27 *as to part in col.* 2, *spent.* |
| | The words "And be it enacted, that" wherever they occur except in sections two, three, eighteen and thirty-four, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Rest unnecessary.* |
| | The words "and be it enacted" in sections two, three, eighteen and thirty-four. | |
| | Section sixteen, to "this Act." | |
| | Section nineteen, from "or for any" to "Chancery." | |
| | Sections twenty-two and twenty-three. | |
| | Section twenty-four, to "and enacted that." | |
| | Section twenty-seven, from "and further that until" to the end of the section. | |
| | Section twenty-eight. | |
| | Section thirty-seven. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 51. | An Act for the transfer of the equitable jurisdiction of the Court of Exchequer to the Court of Chancery in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *S.* 1 *virt. rep. Jud. Act*, 1877. |
| | Section one. | |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *S.* 8 (*as to part in col.* 2) *and s.* 11 *sup. Jud. Act*, 1877. |
| | | *Ss.* 12, 14 *spent.* |
| | Section eight, the words "on or after the "said first day of August one thousand "eight hundred and fifty," twice occurring, and from "and the orders" to the end of the section. | *Ss.* 16, 17, 19 *virt. rep. J. Act*, 1877, *s.* 73, *and see* 30 & 31 *Vict. c.* 44. *s.* 27. |
| | Sections eleven and twelve. | *S.* 20 *partly spent, and as to residue, see* 13 & 14 *Vict. c.* 114, *virtually repealing* 1 & 2 *Geo.* 4. *c.* 112, *which is expressly repealed S.L.R.A.*, 1873. |
| | Section thirteen, the words "except as aforesaid," and "Commissioners of Her Majesty's" where they respectively twice occur. | |
| | Sections fourteen, sixteen, seventeen, nineteen to twenty-one, twenty-three, and twenty-eight to thirty. | *S.* 21, *as to Equity Exchequer business, superseded by J.A.*, 1877, *s.* 72, *as to audit of sheriffs' accounts, obsolete since passing of* 14 & 15 *Vict. c.* 90. *s.* 3, *and* 41 & 42 *Vict. c.* 69. *s.* 8. |
| | Section thirty-one from "the expression" where first occurring to "Majesty: and." | |
| | | *S.* 23 *virt. rep.* 30 & 31 *Vict. c.* 44. *s.* 50, *and Jud. Act*, 1877, *s.* 75. |
| | | *Ss.* 28 & 29 *spent.* |
| | | *S.* 30 *superseded Jud. Act*, 1877, *ss.* 72, 73. |
| | | *Rest unnecessary.* |
| 13 & 14 Vict. c. 57. | An Act to prevent the holding of Vestry or other Meetings in Churches, and for regulating the Appointment of Vestry Clerks. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same that," and the words "after the passing of this Act." | |
| | The words "And be it enacted, that" wherever they occur. | |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 60. | An Act to consolidate and amend the Laws relating to the Conveyance and Transfer of Real and Personal Property vested in Mortgagees and Trustees. | |
| | In part; namely,— | |
| | Preamble. | *S.* 21 *superseded as to court of Co. Pal. of Lancaster*, 17 & 18 *Vict. c.* 82. *s.* 11. |
| | Section two, to "declared that." | |
| | The words "And be it enacted, that" wherever they occur. | *Rest unnecessary.* |
| | Section twenty, the words "the Governor and Company of" wherever they occur. | |
| | Section twenty-one, so far as it relates to the Court of Chancery of the County Palatine of Lancaster. | |
| | Section thirty-seven, the word "that" before "an order." | |
| | Section forty-six, the words "her heirs or successors." | |
| 13 & 14 Vict. c. 67. | An Act the title of which begins with the words "An Act to reduce" and ends with the words "Brewers and Distillers." | |
| | In part; namely,— | |
| | Title, from "to reduce" to "and also," and the words "and Distillers." | *Part of title in col.* 2 *refers only to repealed sections.* |
| | Section six, to "and fifty." | |
| 13 & 14 Vict. c. 68. | An Act to shorten the Duration of Elections in Ireland, and for establishing additional Places for taking the Poll thereat. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 2 *virt. rep.* 35 & 36 *Vict. c.* 33. *sect.* 18 (*temp.*) *and* 48 *Vict. c.* 17. *s.* 9. |
| | Section two. | |
| | The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Sect.* 15 *so far as not repealed by* 35 & 36 *Vict. c.* 33. *s.* 32, (*temp*), *virt. rep. by Sched. Part I., par.* 14, *and* 48 & 49 *Vict. c.* 10. |
| | Section five, from "from and" to "fifty-one." | |
| | Section eight, from "after" to "fifty-one." | |
| | Section nine, from "which shall" to "fifty-one." | *Schedule* (*A.*) *falls with rep. of s.* 2. |
| | Section fifteen. | |
| | Section eighteen, from "after the fifteenth" to "fifty-one." | *Rest spent or unnecessary.* |
| | Section twenty-one, from "after the" to "fifty-one." | |
| | Schedule (A.) | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 69. | An Act to amend the laws which regulate the Qualification and Registration of Parliamentary Voters in Ireland, and to alter the Law for rating Immediate Lessors of Premises to the Poor Rate in certain Boroughs. | |
| | In part; namely,— | |
| | Preamble. | *Sect.* 12 *virt. rep.* 35 & 36 *Vict. c.* 33. *ss.* 7, 17, 31. |
| | The words "And be it enacted, that" wherever they occur, except in section four, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Ss.* 33, 34, *as to parts in col.* 2, *virt. rep. or sup.* 48 *Vict. c.* 17. *s.* 18. |
| | Section three, to "in force." | |
| | Section four, the words "and be it enacted." | *S.* 55, *as to parts in col.* 2, *virt. rep. or sup.* 48 *Vict. c.* 17. *s.* 27. |
| | Section eight, to "in force." | |
| | Section nine, to "enacted, that" and the word "that" wherever it occurs | *Part of s.* 74 *in col.* 2 *falls with repeal of Act,* 40 *Geo.* 3 (*I.*) *by S.L.R.A.* (*I.*), 1879. |
| | Section twelve. | |
| | Section thirty-three, from "and shall likewise keep a copy" to the end of the section. | |
| | Section thirty-four, from "and shall likewise keep copies" to the end of the section. | *S.* 118 *and Schedules virt. rep.* 48 *Vict. c.* 17. *s.* 3. |
| | Section fifty-five, from "correct any mistake" to "to be dead, and," from "and wherever the christian name" to "insert the same in such list," and from "and where the name of any person" to the end of the section. | |
| | Section seventy-four, from "Provided always" to the end of the section. | |
| | Section ninety-two, to "enacted, that." | |
| | Section one hundred and eighteen. | |
| | Schedules. | |
| 13 & 14 Vict. c. 72. | An Act to amend the Laws for the Registration of Assurances of Lands in Ireland. | |
| | In part: namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "Commissioners of Her Majesty's" in sections three, fifty-two, fifty-seven, and fifty-eight. | |
| | The words "And be it enacted, that" wherever they occur, except in sections eighteen, forty-four, fifty-one, sixty and sixty-one, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 72. —*cont.* | The words "and be it enacted" in sections eighteen, forty-four, fifty-one, sixty, and sixty-one.<br>Section thirty-six, to "declared, that."<br>Section thirty-seven, to "declared that."<br>Section fifty-six, to "declared, that."<br>Section sixty, the words "her heirs or successors" twice occurring. | |
| 13 & 14 Vict. c. 73. | An Act to amend the Law relating to Proceedings by Process of Attachment of Goods in the Borough and other Courts of Record in Ireland.<br>In part; namely,—<br>Preamble.<br>Section two, to "this Act."<br>Section three, to "this Act."<br>Section four, to "this Act."<br>The words "And be it enacted, that" in sections five, eight to ten, and twelve.<br>The words "And be it enacted" in sections six and seven.<br>Section eight, from "at or" to "this Act."<br>Section ten, from "from and" to "this Act." | *Spent or unnecessary.* |
| 13 & 14 Vict. c. 74. | An Act for the better Regulation of the Office of Registrar of Judgments in Ireland.<br>In part; namely,—<br>Preamble.<br>Section one, to "this Act."<br>Section two, from "Commissioners" to "Majesty's," and the words "for the time being."<br>Section three, to "lieu thereof."<br>Section four, the words "her heirs and successors."<br>Section nine.<br>The words "And be it enacted, that" wherever they occur, and the word "that" wherever it occurs with reference to the introductory words so repealed. | *Sect.* 9 *virt. rep.* 17 & 18 *Vict. c.* 94. *s.* 1, *and Sched.* (*B.*), *and see* 40 & 41 *Vict. c.* 57. *s.* 76.<br>*Rest unnecessary.*<br>*Interp. Act*, 1889. |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 82. | An Act to extend the Remedies for the Collection of Grand Jury Cess in Ireland.<br>In part; namely,—<br>Preamble, and section one to "same, that."<br>Section two, to "enacted, that." | *Unnecessary.* |
| 13 & 14 Vict. c. 83. | An Act to facilitate the Abandonment of Railways, and the Dissolution of Railway Companies in certain cases.<br>In part; namely,—<br>Preamble, and section one to "same, that."<br>The words "And be it enacted, that" in sections two to ten, twelve to fifteen, seventeen to nineteen, twenty-one to twenty-five, twenty-seven to twenty-nine, thirty-four, and thirty-seven to thirty-nine.<br>The words "and be it enacted" in sections eleven, sixteen, twenty, twenty-six, thirty-five, and thirty-six. | *Unnecessary.* |
| 13 & 14 Vict. c. 85. | An Act the title of which begins with the words "An Act to provide" and ends with the words "Assize Towns."<br>In part; namely,—<br>Preamble.<br>The words "or other Chief Governor "or Governors of Ireland" and "or "other Chief Governor or Governors" wherever they occur.<br>Section one, to "same, that," from "and sessions under" to "criminal business" and from "and in such case" to the end of the section.<br>Section two, from "and sessions under" to "criminal business," the words "and sessions," "or sessions," "sessions or" (where thirdly occurring), and the word "sessions" where it twice thereafter occurs.<br>The words "And be it enacted, that" in sections two and four.<br>Section three, the words "and be it enacted," and from "or sessions under" to "criminal business."<br>Section four, from "and sessions under" to "criminal business," and from "and in such cases" to the end of the section.<br>Section five, to "enacted, that" and the word "sessions." | *As to assizes, see Interp. Act, s.* 13.<br>*Parts of ss.* 1, 4, *as to custody and maintenance of prisoners, virt. rep. P.A.* 1877, *ss.* 17, 40, 42.<br>*Rest unnecessary.* |

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 88. | An Act to amend the Law relating to Engines used in the Rivers and on the Sea Coasts of Ireland for the taking of Fish. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "repealed; and that." | |
| | The words "And be it enacted that" wherever they occur, except in sections fifteen, eighteen, thirty-two, and fifty-six, and the word "that" wherever it occurs with reference to the introductory words so repealed. | |
| | The words "and be it enacted" in sections fifteen, eighteen, thirty-two, and fifty-six. | |
| | Section five, to "therefore enacted that." | |
| | Section thirteen, to "this Act," and the words "the next elections for conservators, and at." | *Spent.* |
| | Section twenty-two, to "this Act," where those words first occur. | *Unnecessary.* |
| | Section thirty-six, to "enacted that." | |
| | Section forty-seven, to "enacted that." | |
| | Section fifty-six, the words "her heirs or successors." | *Interp. Act*, 1889. |
| 13 & 14 Vict. c. 89. | An Act to regulate the Proceedings in the High Court of Chancery in Ireland. | |
| | In part; namely,— | |
| | Preamble. | *S.* 33, *as to part in col.* 2, *superseded, J. A., ss.* 73, 76, *and Order of* 9 *Dec.* 1879. |
| | Section thirty-three, from "and shall be" to the end of the section. | |
| | Sections thirty-four and thirty-five. | |
| | Section thirty-six, from "on the first" where those words first occur to "October." | *S.* 34 *superseded J. A.*, 1877, *s.* 82, *and Order* 22 *Nov.* 1884. |
| | Sections thirty-seven to thirty-nine. | *Ss.* 35, 37, 38, *and* 39 *virt. rep.* 40 & 41 *Vict. c.* 57. *ss.* 72, 73, *subject to savings of s.* 72. |
| | Section forty-one. | *S.* 41 *spent.* |
| | Section forty-four. | *S.* 44 *refers only to repealed sections or to sections now proposed for repeal.* |
| | The words "And be it enacted, that" wherever they occur. | *Rest already repealed.* |
| 13 & 14 Vict. c. 91. | An Act the title of which begins with the words "An Act to authorize" and ends with the words "for which they act." | *Superseded by Prison Acts*, 1865 *and* 1877. |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 92. | An Act for the more effectual Prevention of Cruelty to Animals in Scotland.<br>In part; namely,— | |
| | Section one, the words "from and after the passing of this Act." | *Unnecessary.* |
| | Section eleven, the word "stewartry." | |
| | The words "And be it enacted, that" wherever they occur. | |
| 13 & 14 Vict. c. 94. | An Act to amend the Acts relating to the Ecclesiastical Commissioners for England.<br>In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same that" the words "United" "and Ireland" and "for the time being" occurring before "appointed." | |
| | The words "Commissioners of Her Majesty's," wherever they occur, in sections two and fourteen, and the word "said" where it last occurs in section fourteen. | *Interp. Act*, 1889. |
| | The words "for England" wherever they occur in sections two, fifteen, and twenty. | |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section fifteen, the words "from and after the passing of this Act." | |
| | Section twenty-four, to "enacted, that." | |
| | Section twenty-five, to "enacted, that." | |
| | Section twenty-seven, to "enacted, that." | |
| 13 & 14 Vict. c. 97. | An Act to repeal certain Stamp Duties, and to grant others in lieu thereof; and to amend the Laws relating to the Stamp Duties.<br>In part, namely,— | |
| | Title from "to repeal" to "thereof, and." | *Unnecessary.* |
| | Section eight, to "enacted, that" and the words "her heirs and successors." | |
| 13 & 14 Vict. c. 98. | An Act to amend the Law relating to the holding of Benefices in Plurality.<br>In part; namely,— | |

A.D. 1891.

| Reign and Chapter. | Title. | Remarks. |
|---|---|---|
| 13 & 14 Vict. c. 98. —*cont.* | Preamble. | *Ss.* 1, 2 *rep.* 48 & 49 *Vict. c.* 54. *s.* 14. |
| | The words "And be it enacted, that" wherever they occur. | *S.* 10 *spent subject to savings.* |
| | The words "after the passing of this Act," wherever they occur in sections one, five, and six. | *S.* 12 *spent, since* 32 & 33 *Vict. c.* 24. |
| | Sections one and two. | *Rest unnecessary.* |
| | Section ten. | |
| | Section eleven, the words "for England," where they secondly occur. | |
| | Section twelve. | |
| 13 & 14 Vict. c.101. | An Act the title of which begins with the words "An Act to continue" and ends with the words "Relief of the Poor." | |
| | In part; namely,— | |
| | Title from "to continue" to "Fund; and." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur. | |
| | Section four, to "enacted, that." | |
| | Section eleven, the word "that" before "all the." | |
| 13 & 14 Vict. c.105. | An Act for facilitating the Union of Liberties with the Counties in which they are situate. | |
| | In part; namely,— | |
| | Preamble and section one, to "same that." | *Unnecessary.* |
| | The words "And be it enacted, that" wherever they occur, except in section ten. | |
| | Section ten, the words "and be it enacted." | |
| 13 & 14 Vict.c. 114. | An Act to repeal the Stamp Duties on Proceedings in the Courts of Law in Ireland, and to grant certain other Stamp Duties in lieu thereof. | |
| | In part; namely,— | |
| | Preamble. | *Unnecessary.* |
| | Section one, to "same, that," the words "her heirs and successors," and the word "that." | |
| | Section two, to "enacted, that," and the word "that" before "the several." | |
| | Section three, to "of this Act." | |
| | Section four, to "and fifty." | |

A

# B I L L

[AS AMENDED BY THE SELECT COMMITT

INTITULED

An Act for further promoting the Rev of the Statute Law by repealing Enactm which have ceased to be in force or become unnecessary.

(*Brought from the Lords* 12 *May* 1891.)

*Ordered, by* The House of Commons, *to be Printe* 28 *July* 1891.

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[Bill 437.]

A

# B I L L

TO

Improve the Procedure for making Statutory Rules. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Draft rules to be circulated and published in "Gazette."

**1.** At least *forty days* before making any statutory rules copies of the draft of the proposed rules shall be circulated amongst the public bodies interested in their subject matter, and shall also be published in the London "Gazette."

Representations to be considered.

**2.** During those forty days any public body may obtain further copies of such draft rules on payment of not exceeding per folio, and any representations or suggestions made in writing by a public body to the authority proposing to make the rules shall be taken into consideration by that authority before finally settling the rules, and on the expiration of those forty days the rules may be signed by or on behalf of the rule-making authority, either as originally drawn or as amended by such authority, and shall come into operation forthwith or at such time as may be prescribed in the rules.

Provisional rules in certain cases.

**3.** Where a rule-making authority certifies that the immediate operation of any rules is a matter of urgency, it shall be lawful for such authority to make any such rules to come into operation forthwith as provisional rules, but such provisional rules shall only continue in force until rules have been made in accordance with the foregoing provisions of this Act.

Publication of statutory rules.

**4.** All statutory rules shall as soon as practicable after their coming into operation be published by the Queen's Printers in the form of a supplement to the Statutes of the year in which they are made, or in such other form as the Treasury may prescribe.

[Bill 260.]

A.D. 1891.

Definitions.

**5.** In this Act—

"Statutory rules" means rules made under any Act of Parliament by the authority for the time being empowered to make rules for Her Majesty's Supreme Court of Judicature in England, or any division thereof; the Lord Chancellor of Great Britain, any Secretary of State or other Government department; and the rules committee of county court judges appointed in pursuance of the County Courts Act, 1888.

"Rule-making authority" includes every authority authorised to make any statutory rules.

"Public body" includes the benchers of each Inn of Court, the Incorporated Law Society of the United Kingdom, the Chambers of Commerce of London and of any county borough, the council of any county, and any other society or body of a representative public character.

Publication in Edinburgh or Dublin "Gazette" in certain cases.

**6.** In the case of any rules which it is proposed shall extend to Scotland or Ireland, publication in the Edinburgh or Dublin "Gazette" (as the case may be) as well as in the London "Gazette" shall be requisite.

Short title.

**7.** This Act may be cited as the Rules Publication Act, 1891.

# Statutory Rules Procedure.

A

# B I L L

To improve the Procedure for making Statutory Rules.

*(Prepared and brought in by Mr. Henry H. Fowler and Sir Albert Rollit.)*

*Ordered, by* The House of Commons, *to be Printed,* 23 *March* 1891.

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[*Price* ½*d.*]

[Bill 260.]

A

# B I L L

[AS AMENDED IN COMMITTEE]

TO

Improve the Procedure for making Statutory Rules. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Draft rules to be circulated and published in "Gazette."

**1.** At least forty days before making any statutory rules notice of the proposal to make the rules, and of the place where copies of the draft rules may be obtained, shall be published in the London "Gazette."

Representations to be considered.

**2.** During those forty days any public body may obtain copies of such draft rules on payment of not exceeding threepence per folio, and any representations or suggestions made in writing by a public body to the authority proposing to make the rules shall be taken into consideration by that authority before finally settling the rules, and on the expiration of those forty days the rules may be made by the rule-making authority, either as originally drawn or as amended by such authority, and shall come into operation forthwith or at such time as may be prescribed in the rules.

Provisional rules in certain cases.

**3.** Where a rule-making authority certifies that the immediate operation of any rules is a matter of urgency, it shall be lawful for such authority to make any such rules to come into operation forthwith as provisional rules, but such provisional rules shall only continue in force until rules have been made in accordance with the foregoing provisions of this Act.

Definitions.

**4.** In this Act—

"Statutory rules" means rules or regulations which relate to any court, or to the procedure, practice, costs, or fees therein, but does not include any such rules and regulations as aforesaid if the same, or a draft thereof, are required to be laid before Parliament for any period before they come into operation.

[Bill 397.]

A.D. 1891.

"Rule-making authority" includes every authority authorised to make any statutory rules.

"Public body" means the benchers of each Inn of Court, the Incorporated Law Society of the United Kingdom, the Chambers of Commerce of London and of any county borough, the council of any county or county borough, and any other society or body appearing to the rule-making authority to be a public body, and to be interested.

Publication in Edinburgh or Dublin "Gazette" in certain cases.

**5.** In the case of any rules which it is proposed shall extend to Ireland, publication in the Dublin "Gazette" shall be requsite in addition to, or, if they extend to Ireland only, in lieu of, publication in the London "Gazette."

Extent of Act.

**6.** This Act shall not extend to Scotland.

Short title.

**7.** This Act may be cited as the Rules Publication Act, 1891.

# Statutory Rules Procedure.

A

# B I L L

[AS AMENDED IN COMMITTEE]

To improve the Procedure for making Statutory Rules.

(*Prepared and brought in by Mr. Henry H. Fowler and Sir Albert Rollit.*)

*Ordered, by* The House of Commons, *to be Printed*, 23 *March* 1891.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 397.]

A

# B I L L

TO

Provide for Certificates to Persons in charge of Steam Engines and Boilers on Land. A.D. 1891.

WHEREAS it is expedient that steam engines and boilers on land should be placed in charge of persons duly conversant, from practical experience, with their construction and management:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited for all purposes as the Engines and Boilers Act, 1891.

Extent and application of Act.

**2.** This Act shall extend to the whole of the United Kingdom, but shall not apply to any boiler used exclusively for domestic purposes, or to any steam engine or boiler used in the service of Her Majesty, or to any steam engine or boiler used in propelling a steamship having a certificate from the Board of Trade in accordance with the Merchant Shipping Act Amendment Act, 1862, except in cases where such steamer is in dock and the certified engineer is off duty for the time being, when in such cases this Act shall apply to any person who may be placed in charge of steam donkey pumps, steam winches, or other machinery worked by steam on board the said vessel or steamer.

Commencement of Act.

**3.** This Act shall come into operation on the *first day of January one thousand eight hundred and ninety-two*, which day is herein-after referred to as the commencement of this Act.

Definitions.

**4.** In this Act "boiler" means any closed vessel used in any trade, manufacture, or mining, or other industrial employment on land for the generation or use, under pressure, of steam for the production of motive power; "engine" means any machinery used

A.D. 1891.

for a like purpose and worked by steam from a boiler, as herein defined; and "engine or boiler user" means every person who owns or uses in whole or in part, or who lets for hire, an engine or boiler.

The term "court of summary jurisdiction" means any court or justice of the peace, metropolitan police magistrate, stipendiary magistrate, sheriff, sheriff substitute, or other magistrate or officer, by whatever name called, exercising jurisdiction in summary proceedings for the recovery of penalties.

"Examiner" means any person appointed to examine applicants for certificates of qualification under this Act.

"Horse power" means nominal, and shall not include "indicated" or other trade terms other than the words "nominal horse power."

Certificates of service.

**5.** Every person who, before the *first day of January one thousand eight hundred and ninety-two*, has had the practical control or management, for a period of not less than *one year*, of a steam engine exceeding five horse power, or steam boiler or any closed vessel for the generation of steam for such engine, at any works, railway, or manufactory in the United Kingdom, or on any river or coasting steamer of like power or pressure, shall be entitled to a first, second, or third-class certificate of service, to be delivered to him by the Board of Trade, on satisfactory proof that he has had five years experience in such practical control or management for a first-class certificate of service, three years experience for a second-class certificate of service, and one year's experience for a third-class certificate of service, and is a person of sobriety and general good conduct.

Seagoing engineers with certificates under this Act.

**6.** A certificate of competency issued to any engineer by the Board of Trade, under the Merchant Shipping Acts, shall be deemed to be a first class certificate of competency under this Act; and the holder thereof, when using it as a certificate of competency under this Act, shall be subject to the regulations in force under this Act, and to the penalties and liabilities imposed by this Act.

Appointment of examiners.

**7.** The Board of Trade shall from time to time appoint examiners with a practical and mechanical experience or knowledge of steam engines and boilers to conduct the examination of persons applying for first-class certificates of competency, and may from time to time make, alter, and revoke rules as to the qualification of the applicants, subject to the provisions of this Act, and fix districts for which any examiners are to be appointed, and determine the amount of remuneration of examiners, and make and alter regulations in relation to examinations, the qualifications to be required

from applicants for certificates, and to the issuing and registration of certificates, and generally do all such acts as it thinks expedient in order to carry into effect the examination of applicants for certificates of competency.

Certificates of competency.

**8.** The Board of Trade shall deliver to every person who is reported by the examiners to have passed the examination satisfactorily, and to have given satisfactory evidence of his sobriety and general good conduct, a certificate of competency.

Notice of examinations.

**9.** Whenever such examiner or examiners shall hold an examination, they shall advertise the same in two local newspapers not less than fourteen days prior to such court being held.

Fees for examination.

**10.** The Board of Trade shall have power to charge as fees for examination or the granting of certificates at the following rates :— For applicants for examination or granting of first-class certificates the sum of *five shillings*, and in that of second-class certificates the sum of *two shillings and sixpence.*

Certificates cancelled or suspended.

**11.** The Board of Trade may at any time, whenever it appears expedient to do so, owing to the neglect, misconduct, or incompetency of any person holding a certificate, suspend, or cancel altogether, any certificate of competency or qualification; and they may at any time, on appeal being made to them by the person whose certificate has been suspended, and he producing evidence in favour of his appeal, re-issue any suspended certificate, with a statement to that effect appended thereon.

Register of certificates.

**12.** A register shall be kept by the Board of Trade, and printed annually, showing the names of persons who have received certificates from examiners, the date such were granted, or if suspended, the cause of the same, and if such suspension be cancelled, the reasons and conditions on which it has been re-issued.

Certificates first and second class.

**13.** Certificates under this Act shall be known as (*a*) first-class certificates, (*b*) second-class certificates, and (*c*) first, second, and third-class certificates of service, the first-class certificates being granted after examination by examiners duly appointed by the Board of Trade, the second-class certificates by written applications to the Board of Trade, under conditions hereafter provided for, and the certificates of service as herein-before provided under clause five.

Provisions as to persons in charge of steam engines or boilers.

**14.** In accordance with the provisions of this Act no person shall, after the *first day of January one thousand eight hundred and ninety-two*, be in charge of a steam engine exceeding five horse power, or steam boiler, or any closed vessel for the generation of steam for such steam engine, at any works, railway, or

A.D. 1891.

manufactory in the United Kingdom, or on any river or coasting steamer of like power or pressure, unless such person is in possession of such a certificate as is provided for under this Act; provided that on any works or establishment where there are more than one steam engine or boiler exceeding five horse power, it shall be sufficient for the purposes of this Act if there be one person constantly in charge who shall be the holder of a first-class certificate of competency, and the other persons shall be the holders of at least second-class certificates or certificates of service.

Second-class certificates.

**15.** The applicant for a second-class certificate shall do so in writing, on a prescribed form, to the Board of Trade; the application shall be accompanied by testimonials as to character and fitness, signed by not less than two persons who are holders of first-class certificates under this Act, provided that no person under eighteen years of age shall hold a certificate except only for the purpose of having the control or charge of an engine of not more than two horse power.

Locomotive engine drivers and stokers.

**16.** In the case of locomotive drivers and stokers employed on any railway in the United Kingdom, the conditions for the granting of first and second-class certificates shall be as follows:—

Any locomotive fireman or stoker desiring to secure a first-class certificate shall make a written application to the Board of Trade, and if he satisfy the Board of Trade that for a period of not less than *five years* up to the date of such application he has continuously followed the occupation of a locomotive fireman or stoker, and satisfy the examiners under this Act that he has a practical knowledge of the construction and management of locomotive engines, and is of good character, he shall be entitled to a first-class certificate of competency.

Any person desiring to secure a second-class certificate shall make a written application to the Board of Trade, and if he satisfy the Board of Trade that he has been continuously employed, for a period of not less than twelve months up to the date of application, at work affording him a practical knowledge of the construction and management of locomotive engines, and is of good character, he shall be entitled to a second-class certificate.

No person shall be placed in charge of any locomotive engine unless in possession of a first-class certificate of competency.

Engine drivers at mines or collieries.

**17.** No person, unless in the possession of a first-class certificate under this Act, shall be placed in charge of, or have the control of, any steam engine used in connexion with any coal or other mines, for the purpose of winding minerals or workmen from said mines,

nor shall any person employed about such mines have the control of any steam boilers, engines, or machinery other than winding engines, who is not in possession of a second-class certificate under this Act.

No person in charge of any winding engine in connexion with the working of any mine shall, under any pretext whatever, unless relieved by a person for that purpose, holding a first-class certificate, absent himself or cease to have continual supervision of such winding engine during the time it is used in working the mine.

**18.** No steam crane at any wharf, works, or manufactory shall be worked by any person not possessing a first-class certificate of competency. Persons having charge of steam winches and a boiler for the generation of steam for such steam winch, to be in possession of a certificate of service, and be continually under the supervision of some person possessing a first-class certificate of competency.

Charge of rolling mills, &c.

**19.** No person shall have charge of any rolling mill engine, blast engine, compound or triple expansion engines, unless possessing a first-class certificate of competency under this Act; but upon any works or establishment where there may be more than one first-motion engine, it shall be sufficient for the purposes of this Act if there be one person constantly in charge who shall be a holder of a first-class certificate of competency, and the other persons shall be holders of certificates of service.

Charge of more than four steam boilers.

**20.** No person shall have charge of more than four steam boilers, unless in possession of a first-class certificate of competency.

Evidence as to fitness of applicant.

**21.** Applicants for first-class certificates as colliery engine attendants shall produce evidence as to fitness by practical knowledge in the construction and management of steam engines, or steam boilers, or have been the holders of second-class certificates for at least *twelve months*, and during that period have had at least three months experience in assisting at a winding engine.

Evidence as to experience of applicant.

**22.** Applicants for second-class colliery engine attendants certificates must produce evidence that they have, within a period of two years prior to the date of examination, had at least *six months* experience as assistants in the working of engines or machinery used for mining purposes.

Proof as to hearing and eyesight.

**23.** Applicants for first or second-class certificates must give satisfactory proof that neither their hearing or eyesight is defective, nor are they subject to any other mental or bodily infirmity likely to interfere with the efficient discharge of their duties.

A.D. 1891.

Steam trams or traction engines.

**24.** No steam tram or steam traction engine shall be worked on any highway without the person in charge of same is in possession of a first-class certificate under this Act.

Further regulations as to portable engines.

**25.** Portable engines used for agricultural purposes, if under five horse power, shall be under the control of persons holding at least a second-class certificate; but if such portable engine exceeds five horse power, the same shall be under the control of a person holding a first-class certificate.

Small trading vessels, &c.

In cases of small trading vessels, fishing trawlers, pleasure yachts, or other vessels propelled by steam power, the steam engines or steam boilers of the same shall, if exceeding five horse power, be in charge of a person in possession of a first-class certificate, and in cases where the steam engines or steam boilers of such vessels do not exceed five horse power shall be in charge of a person possessing a second-class certificate, on conditions to be hereafter laid down by the Board of Trade.

Every engine or boiler to which this Act applies shall be placed and kept at all times, when at work, under the supervision of some person holding a certificate of qualification under this Act, and no one person shall undertake, operate, other than the supervision of a greater number of engines or boilers, or of engines or boilers situate at a greater distance from one another, than may be prescribed by any regulations of the Board of Trade for the time being in force.

Every engine or boiler user shall keep a book or register in which he shall enter and keep entered every engine or boiler owned, used, or let for hire by him, with sufficient particulars as to situation and otherwise to enable the same to be identified; and he shall enter and keep entered in the said book or register the name of the person under whose charge, control, or supervision each such engine or boiler is placed for the time being; and he shall at all reasonable times produce every such book for inspection by any authorised person, and permit copies thereof to be taken by any such person.

The following shall be deemed authorised persons for the purposes of this section: Any examiner under this Act, any court of summary jurisdiction, any person nominated for the purposes of this section by the Board of Trade in writing under the hand of a secretary or assistant secretary of the Board of Trade.

Penalties for offences by engine or boiler users.

**26.** Any engine or boiler user who makes default in complying with any of the provisions of this Act, by the employment of persons other than those in possession of certificates, shall be liable on summary conviction to a penalty not less than *two pounds* and not exceeding *fifty pounds* for every such default.

A.D. 1891.

Penalties for offences by persons in charge of engine.

**27.** Any person or persons undertaking the charge or control of steam engines or steam boilers contrary to the meaning or objects of this Act shall be liable on summary conviction to a penalty not less than *two pounds* and not exceeding *twenty pounds* for every such default.

Fees.

**28.** All fees received by examiners under this Act, or any regulations of the Board of Trade under this Act, shall be paid and accounted for to the Board of Trade in such manner as they direct, and shall be paid into the Exchequer.

Expenses.

**29.** *All expenses incurred by the Board of Trade for the payment of examiners or otherwise in carrying this Act into effect shall be defrayed out of moneys to be provided by Parliament.*

# Steam Engines and Boilers.

A

# B I L L

To provide for Certificates to Persons in charge of Steam Engines and Boilers on Land.

*(Prepared and brought in by Mr. Seton-Karr, Sir R. Lethbridge, Sir G. Baden-Powell, Mr. Coghill, Mr. Burt, and Mr. Fenwick.)*

*Ordered, by* The House of Commons, *to be Printed,* 1 *December* 1890.

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and 21, Drury Street, Glasgow; or
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[*Price* 1*d.*]

[Bill 134.]

A

# B I L L

TO

Enable County Councils to provide for the appointment of Stipendiary Magistrates. A.D. 1891.

WHEREAS there is reason to believe that certain counties in England and Wales desire to secure the services of stipendiary magistrates for the more effectual execution of the office of justice of the peace, the better protection of the persons and properties of the inhabitants, and the advantage of the public:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited as the Stipendiary Magistrates Act, 1891.

Interpretation of terms.

**2.** In the construction of this Act the following words and expressions shall have the meanings hereby assigned to them; that is to say—

The word "county" shall mean any county in England and Wales, and shall comprise the whole area to which the Local Government (England and Wales) Act, 1888, shall extend:

The expression "county council" shall mean the council appointed under the provisions of the Local Government (England and Wales) Act, 1888.

Power to county council to make bye-law on which Secretary of State for Home Department shall appoint justices.

**3.** If any county council of any county shall by a majority of the members of such council think it expedient that a stipendiary magistrate or magistrates shall be appointed to execute the office of a justice or justices of the peace within such county, such county council is hereby empowered to make a byelaw or minute fixing the amount of salary which he is or they are to receive in that behalf, and such byelaw or minute shall be transmitted to Her Majesty's Secretary of State for Home Department, who shall thereupon appoint a person or persons qualified in accordance with

A.D. 1891.

the provisions of section one of the Stipendiary Magistrates Act, 1863, to be, during Her Majesty's pleasure, police magistrate or magistrates and a justice or justices of the peace for such county.

Power to magistrates.

**4.** Any person or persons appointed stipendiary magistrate or magistrates under this Act shall have all the rights and powers conferred on stipendiary magistrates by the Stipendiary Magistrates Act, 1863, and whenever such magistrate or magistrates shall sit and act within such county for which he has or they have been assigned to keep the peace his or their decision on any question of fact or law shall decide and determine the matter then before the Court irrespective of the opinion or opinions of any justice or justices of the peace who may be sitting at the time such matter is being tried and determined.

Power to county councils.

**5.** Every county council appointing a stipendiary magistrate or magistrates shall have all the rights and powers conferred on local boards by the Stipendiary Magistrates Act, 1863.

# Stipendiary Magistrates.

A

# B I L L

To enable County Councils to provide for the appointment of Stipendiary Magistrates.

(*Prepared and brought in by Mr. Lloyd Morgan, Mr. Dillwyn, Mr. Labouchere, Mr. Lockwood, Mr. Philipps, and Mr. Abel Thomas.*)

*Ordered, by* The House of Commons, *to be Printed*, 4 *March* 1891.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 238.]

A

# B I L L

TO

Limit the Hours of Street Organs and other Street Music in the Metropolis. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. **1.** This Act may be cited as the Metropolitan Street Organs and Instruments of Music Act, 1891.

Application of Act. **2.** This Act shall not extend beyond the metropolitan police district.

Power to householders to require itinerant musicians to desist from playing. **3.** Any householder, personally or by his agent or servant, may require any person grinding or playing upon any street organ or other instrument of music in front of or near his house or premises to desist and refrain from further or again performing within a quarter of a mile thereof, and any person who after having been so required to desist as aforesaid shall not do so, shall be guilty of an offence under this Act, and shall be liable, upon conviction by a court of summary jurisdiction, to a penalty not exceeding *forty shillings*, or in the discretion of the court to imprisonment for *fourteen days*, with or without hard labour.

Itinerant musicians not to play before 8 a.m. or after 8 p.m. **4.** Any person grinding or playing upon any street organ or other instrument of music before 8 a.m. or after 8 p.m. shall be deemed to have committed an offence against this Act, and to be liable to the same penalty.

Exceptions. **5.** This Act shall not apply to the case of any person not playing for reward, and to any musician belonging to Her Majesty's forces, whether naval, military, or auxiliary, or to persons taking part in any procession whether such have a religious or political object, or be for the purposes of any charitable institution, or of any labour organisation.

[Bill 63.]

# Street Organs (Metropolis).

A

# B I L L

To limit the Hours of Street Organs and other Street Music in the Metropolis.

*(Prepared and brought in by Mr. Jacoby, Sir John Lubbock, Sir Guyer Hunter, Mr. Staveley Hill, Mr. John Kelly, and Mr. Norris.)*

*Ordered, by* The House of Commons, *to be Printed*, 26 *November* 1890.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 63.]

A

# B I L L

TO

## Amend the Summary Jurisdiction Act, 1879.

A.D. 1891.

WHEREAS it is expedient to amend the law relating to appeals from summary orders and convictions:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Appeal to quarter sessions.

**1.** In every case of summary order or conviction before any court of summary jurisdiction in which the sum or penalty adjudged to be paid shall be more than *three pounds*, or in which the penalty adjudged shall be imprisonment without the option of a fine, any person who shall think himself aggrieved by the order or conviction may appeal to the justices of the peace at the next general or quarter sessions of the peace for the county wherein the cause of complaint arose, holden not less than fifteen days after the day on which the decision was given upon which the conviction or order was founded.

Procedure on appeal.

**2.** Every appeal under the Act shall be subject to the rules and regulations prescribed by the thirty-first section of the Summary Jurisdiction Act, 1879.

Extent of Act.

**3.** This Act shall not extend to Scotland or Ireland.

Short title.

**4.** This Act may be cited for all purposes as the Summary Jurisdiction Act (1879) Amendment Act, 1891.

# Summary Jurisdiction Act (1879) Amendment.

A

# B I L L

To amend the Summary Jurisdiction Act, 1879.

(*Prepared and brought in by Mr. W. H. Cross, Mr. Coghill, Mr. Gully, Mr. J. R. Kelly, and Mr. J. G. Talbot.*)

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[*Price* ½*d.*]

[Bill 227.]

A

# B I L L

TO

Amend the Summary Jurisdiction Acts with respect to the Punishment of Youthful Offenders. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers of court of summary jurisdiction with respect to youthful offenders.

**1.**—(1.) Where a youthful offender is proved before a court of summary jurisdiction to have committed any offence punishable by the court, the court may, if it think fit, with or without proceeding to conviction, and without prejudice to its other powers, deal with the case in such one or more of the following modes as may, in the opinion of the court, be suitable; that is to say, the court may—

(*a.*) Adjudge that the offender, if a male, be whipped;

(*b.*) Fine the parent any sum not exceeding *one pound;*

(*c.*) Order the parent to pay to any person injured by the offence compensation not exceeding *five pounds;*

(*d.*) Order the parent to give security for the good behaviour of the offender.

(2.) The powers exerciseable by a court over a parent under this section shall not be exercised unless the parent has been summoned to attend before the court, nor unless the court is of opinion that there has been, on the part of the parent, neglect or default in relation to the offender.

(3.) Where a youthful offender is charged with an offence to which this section applies, the same summons may require the parent to appear as well as the offender; and any such summons may require the parent to produce the offender before the court.

A.D. 1891.

The court may also, in any case to which this section applies, require the parent of the offender to attend before the court as if he were the person charged.

(4.) A youthful offender adjudged to be whipped in pursuance of this section shall, as soon as practicable, be privately whipped with a birch rod by a warder of the prison, or a constable, in the presence of the governor of the prison, or of an inspector or other officer of police, or of some other person of higher official position than the person inflicting the whipping, and also in the presence of the parent of the offender, if he desires to be present. The number of the strokes shall be specified by the court, and shall, if the offender appears to the court to be below the age of twelve years, be not more than twelve, and if the offender appears to the court to be of or above the age of twelve years, be not more than eighteen. This sub-section shall not apply to Scotland.

(5.) Where a court of summary jurisdiction has power to deal summarily with an indictable offence committed by a youthful offender, either with the consent of the offender or in the absence of objection by his parent or guardian to his being dealt with summarily, the court may, with the like consent or subject to the like objection, deal with the case under this section.

(6.) In this section the expression "youthful offender" means a boy or girl who, in the opinion of the court before whom he or she is brought, is under the age of *sixteen years*.

Meaning of court of summary jurisdiction in Scotland.

**2.** In this Act the expression "court of summary jurisdiction" when used in relation to Scotland shall, unless the contrary intention appears, mean the sheriff or sheriff-substitute, or any two justices of the peace sitting in open court, or any magistrate or magistrates to whom jurisdiction is given by the Summary Jurisdiction (Scotland) Acts.

Short title.

**3.** This Act may be cited as the Summary Jurisdiction Act, 1891.

# Summary Jurisdiction (Youthful Offenders).

A

# B I L L

To amend the Summary Jurisdiction Acts with respect to the Punishment of Youthful Offenders.

*(Prepared and brought in by Mr. Secretary Matthews, Mr. Attorney-General, and Mr. Stuart Wortley.)*

*Ordered, by* The House of Commons, *to be Printed*, 9 *February* 1891.

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[*Price* ½*d.*]

[Bill 194.]

A

# B I L L

TO

Amend the Sunday Closing (Wales) Act, 1881. A.D. 1891.

WHEREAS the provisions in force against the sale of intoxicating liquors on Sunday have been found to be attended with great benefit to the inhabitants of Wales:

And whereas a Royal Commission appointed to inquire into the operation of the Sunday Closing (Wales) Act, 1881, has reported that it is expedient to amend the provisions of the said Act in regard to travellers, clubs, shebeens, the wholesale trade, and certain minor matters:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Preliminary.*

Short title. **1.** This Act may be cited as the Sunday Closing (Wales) Amendment Act, 1891, and shall be incorporated with and construed as one with the Sunday Closing (Wales) Act, 1881 (herein-after called the principal Act) save and except only so far as the provisions of the principal Act are expressly repealed or varied by or inconsistent with this Act.

Commencement of Act. **2.** This Act shall come into operation on the *tenth day of October one thousand eight hundred and ninety-one* (which day is in this Act referred to as the commencement of this Act).

Extent of Act. **3.** This Act and the principal Act shall extend only to Wales, as herein-after defined.

Definitions. **4.** In this Act, unless the context otherwise requires—

"Intoxicating liquors" shall mean spirits, wine, beer, porter, ale, cider, perry, and sweets, and any fermented, distilled, or spirituous liquors which cannot, according to any law for the time being in force, be sold without a licence from the Commissioners of Inland Revenue.

A.D. 1891.

"Licensing authority" shall mean the authority for the time being empowered by law to grant and renew certificates for the sale of exciseable liquors.

"Licence" shall mean a licence for the sale of intoxicating liquors granted in pursuance of any statute in force for the time being.

"Sunday licence" shall mean a licence to receive and supply intoxicating liquor to travellers on Sunday.

"Sale of beer by retail" shall mean the sale of beer in a less quantity than four and a half gallons, or less than two dozen reputed quart bottles.

"Owner" of premises shall mean the person for the time being entitled to receive either on his own account or as mortgagee, or other incumbrancer in possession, the rackrent of such premises.

No person shall be deemed a "traveller" unless he proves that he was actually engaged in travelling for some purpose other than that of obtaining intoxicating liquor, and that he has not remained on the licensed premises longer than was reasonably required for the transaction of his necessary business or for the purpose of necessary rest, refreshment, or shelter from the weather.

"A club" shall mean any association of ten or more persons having club premises or a place of meeting at which any intoxicating liquor is supplied to the members of such association.

"Wales" shall include Monmouthshire and every urban district, part of which is situate within Wales or Monmouthshire.

"Urban district" shall include borough, Improvement Act district, and local government district.

*Travellers.*

Sale of intoxicating liquor to travellers.

**5.** In the application to Wales of the Licensing Act, 1874, section ten of the said Act is hereby repealed, and in lieu thereof the following provisions shall apply:—

Nothing in this Act or in the principal Act contained shall preclude a person licensed to sell any intoxicating liquor at any time to travellers or to persons lodging in his house: Provided that no person holding a six-day licence shall sell any intoxicating liquor on Sunday to any person whatever not lodging in his house.

If in the course of any proceedings which may be taken against any licensed person for infringing the provisions of this Act or the principal Act relating to closing, such person (in this section

referred to as the defendant) fails to prove that the person to whom the intoxicating liquor was sold (in this section referred to as the purchaser) is a traveller, but the justices are satisfied that the defendant truly believed that the purchaser was a traveller, and further that the defendant took all reasonable precautions to ascertain whether or not the purchaser was such a traveller, the justices shall dismiss the case as against the defendant, and if they think that the purchaser falsely represented himself to be a traveller, it shall be lawful for the justices to direct proceedings to be instituted against such purchaser under the twenty-fifth section of the principal Act.

Sunday licence.

**6.** From and after the first meeting of the licensing authority for the purpose of hearing applications for the granting and renewal of licences after the commencement of this Act, no occupier of licensed premises shall receive travellers on Sunday or supply intoxicating liquor to travellers on Sunday unless such occupier shall be the holder for the time being of a Sunday licence granted for that purpose.

Granting of a Sunday licence.

**7.** The licensing authority shall have power, at their next or any subsequent meeting held after the commencement of this Act, to grant Sunday licences to such licensed premises as, having regard to the rateable value of such premises and the circumstances of the locality in which such premises are situate, the said licensing authority may deem expedient.

Name and address of travellers to be entered.

**8.**—(*a.*) The holder of a Sunday licence shall keep a book in which he shall enter the name and address of every traveller or other person entering the licensed premises on Sunday, together with the date and time on which such traveller or other person enters the premises or is supplied with refreshments thereat.

(*b.*) Any constable may, for the purpose of preventing or detecting the violation of any of the provisions of this Act, at all times enter on any licensed premises and inspect such book.

(*c.*) Any holder of a Sunday licence who neglects to keep such book or who, by himself or by any person in his employ or acting by his direction or with his consent, refuses or fails to admit any constable in the execution of his duty demanding to enter in pursuance of this section, or having admitted such constable refuses or fails to permit him to inspect such book and all entries therein, shall be liable to a penalty not exceeding for the first offence *five pounds*, and not exceeding for the second and every subsequent offence *ten pounds*.

A.D. 1891.

Forfeiture of a Sunday licence.

The third and every subsequent conviction under this sub-section to be recorded on the licence.

**9.** If the holder of a Sunday licence shall be convicted of any offence under this Act or under the Licensing Acts, or of any offence punishable with imprisonment and hard labour without the option of a fine, and such conviction shall not be appealed against within the time allowed for appeal (if any) by any Act in force for the time being, or if appealed against shall be affirmed, the Sunday licence of such licensed person shall be forfeited so soon as the time for giving notice of appeal shall have expired, or where such conviction is appealed against and has been affirmed upon appeal from the hearing of the appeal, or if there be no right of appeal from the time of such conviction, and the premises in respect of which such Sunday licence was granted, shall unless the court having cognizance of the case in its discretion think fit otherwise to order be disqualified from receiving a Sunday licence for the term of two years from the date of such conviction.

*Clubs.*

Establishment of register of clubs.

**10.** The county council of every county shall keep a register of clubs in such form as they may prescribe. Such register shall contain the following particulars, that is to say:—

1. The name of the club.
2. The description of the club premises.
3. A copy of the club rules.
4. The name of the secretary or other responsible officer of the club.
5. A list of the officers, committee, and members of the club.

Application for registration to be made annually.

**11.** The secretary or officer of every club shall before the *tenth day of October one thousand eight hundred and ninety-one*, or in the case of a club formed after that date before the opening of the club premises, apply to the county council to register such club and shall before the *tenth day of October* in every year subsequent to the first registration of the club so long as the said club continues to exist, make a like application for renewed registration.

The secretary or officer of a club shall at the time of making such application furnish to the county council with regard to the club of which he is secretary or officer the particulars mentioned in section ten of this Act, and shall also from time to time when required by the county council furnish to them any of the aforesaid particulars.

Upon such application being duly made the county council shall cause such club to be registered, and shall forward to the secretary

or officer of such club a certificate of registration under their common seal. Such certificate shall be conclusive proof of the club having been duly registered under this Act.

Any person who makes any return or furnishes any information under the requirements of this section knowing the same to be false or insufficient in any material particular, shall be guilty of a misdemeanor and liable on conviction on indictment to be imprisoned with or without hard labour for a term not exceeding *one year*.

Registration fee.

**12.** The secretary or officer of every club shall before such club is entitled to be registered pay to the county council a registration fee of twenty shillings.

Alteration and rescission of rules.

**13.** Any club registered under this Act may alter or rescind any rule or make any additional rule in the manner its rules direct, and every club under this Act altering or rescinding any rule or making an additional rule shall forward two copies of every resolution for rescission of a rule, and of every alteration of or addition to its rules, signed by its secretary or officer, to the county council, together with a fee of *ten shillings;* the county council shall if they find that such rescission, alteration, or addition is in conformity with this Act, return one of the copies to the secretary or officer of the club with a certificate of registration, and retain and register the other copy.

Failure to register

**14.** Every club not duly registered under this Act shall be deemed an illegal association, and the members thereof shall be liable upon summary conviction to a fine not exceeding *five pounds* for every day on which the premises of such club are open, or in default of payment of such fine to imprisonment for any period not exceeding three months. Provided always that nothing herein contained shall be held to exempt any person so convicted from any excise, or any other penalties to which he may be liable under any Act or Acts now or hereafter in force.

Illegal associations.

**15.** From and after the commencement of this Act any association of ten or more persons existing only for the purpose of supplying intoxicating liquor to its members, or if for any other purpose only ostensibly or colourably for such other purpose, shall be deemed an illegal association, and each and every member of such association shall be liable, upon summary conviction, to a fine not exceeding *five pounds,* or to imprisonment for any period not exceeding *three months.*

*Shebeens.*

Having or keeping for sale.

**16.** No person shall have or keep for sale by retail any intoxicating liquor without being duly licensed to sell the same. Any person

A.D. 1891.

having or keeping for sale by retail any intoxicating liquor which he is not licensed to sell by retail shall be subject to the following penalties, that is to say :—

(1.) For the first offence he shall be liable to a penalty not exceeding *fifty pounds*, or to imprisonment with or without hard labour for a term not exceeding *one month*.

(2.) For the second offence he shall be liable to a penalty not exceeding *one hundred pounds*, or to imprisonment with or without hard labour for a term not exceeding *three months*, and he may, by order of the court by which he is tried, be disqualified for any term not exceeding *five years* from holding any licence for the sale of intoxicating liquors.

(3.) For the third and any subsequent offence he shall be liable to a penalty not exceeding *one hundred pounds*, or to imprisonment with or without hard labour for any term not exceeding *six months*, and may, by order of the court by which he is tried, be disqualified for any term of years or for ever from holding any licence for the sale of intoxicating liquors.

*Wholesale Beer Trade.*

Wholesale trade, Sunday delivery.

**17.** No beer sold for the purpose of re-sale shall be delivered on Sunday at any house or premises at which beer is sold or kept for sale by retail, or at any place other than on board ships bound for a foreign port and ready for sea.

Any person convicted of an offence under this section shall be liable to a penalty not exceeding *five pounds*, or to imprisonment with or without hard labour for a term not exceeding *three months*.

Wholesale trade, week-day delivery.

**18.** No beer sold for the purpose of re-sale shall be delivered at any house or premises at which beer is sold or kept for sale by retail, or at any place other than on board ships bound for a foreign port and ready for sea, except between the hours of *five o'clock* in the morning and *nine o'clock* at night

Any person convicted of an offence under this section shall be liable to a penalty not exceeding *five pounds*, or to imprisonment with or without hard labour for a term not exceeding *three months*.

Establishment of register of premises on which

**19.** The county council shall keep a register of all premises upon which beer is manufactured or sold for the purpose of re-sale in such form as they may prescribe. Such register shall contain a description of the premises, the name of the owner of such

premises, and the name of the person who carries on such business of manufacture or sale.

wholesale trade is carried on.

**20.** Any person who carries on such business of manufacture or sale, shall within three months of the commencement of this Act, and in every succeeding year on the *tenth day of October*, or such other day as may be appointed for that purpose, apply to the county council for a certificate of registration.

Failure to register.

**21.** Such person shall at the time of making such application to the county council furnish the county council with the particulars mentioned in section nineteen of this Act, and shall also from time to time when required by the county council furnish to them any of the aforesaid particulars.

Method of application to county council.

**22.** Upon such application being duly made the county council shall cause such premises to be registered, and shall forward to the person who carries on business on such premises a certificate of registration under their common seal.

Conditions of granting a certificate of registration.

No such certificate of registration shall be granted in respect of premises of a less rateable value than *fifteen pounds* annually, nor to anyone who is disqualified from holding a licence to sell beer by retail for consumption off the premises, nor to anyone who fails to produce a certificate from the local licensing authority to the effect that he is a fit and proper person to receive a certificate of registration under this Act.

Any person who makes any return or furnishes any information under the requirements of this section, knowing the same to be false or insufficient in any material particular, shall be guilty of a misdemeanor, and liable on conviction on indictment to be imprisoned with or without hard labour for a term not exceeding *one year*.

**23.** The person who carries on business on such premises shall, before such premises are entitled to be registered, pay to the county council a registration fee of *twenty shillings*.

Registration fee.

**24.** The owner of premises upon which beer is manufactured or sold for the purpose of re-sale, in respect of which a certificate of registration has not been obtained under this Act, shall be liable upon summary conviction to a fine not exceeding *five pounds* for every day on which such premises are open.

Penalty for non-registration.

**25.** Any constable may at all reasonable times enter and inspect any premises (other than those of a brewer) in or upon which beer

Powers of entry.

A.D. 1891.

is sold for the purpose of re-sale, and examine all vessels and utensils found on such premises.

When in pursuance of this section a constable has entered any premises and has found on such premises any vessel or utensil ordinarily used in the storing or keeping of beer and capable of containing not more than four gallons and a half, or any such vessel or utensil capable of containing more than four gallons and a half but partly empty, the finding of any such vessel or utensil on such premises shall, until the contrary be proved, be deemed sufficient evidence of an illegal sale by retail on such premises: Provided that nothing in this section shall prohibit beer bottled in glass or stone bottles, not exceeding one quart each in capacity, from being kept on such premises.

Search of premises.

**26.** Any constable may demand the name and address of any person found on any premises where such vessels or utensils are found as aforesaid, and if he has reasonable ground to suppose that the name or address given is false, may examine such person further as to the correctness of such name and address, and may, if such person fail upon such demand to give his name and address or to answer satisfactorily the questions put to him by the constable, apprehend him without warrant and carry him as soon as practicable before a justice of the peace.

Any person required by a constable under this section to give his name and address who fails to give the same, or gives a false name and address, or gives false information with respect to such name and address, shall be liable to a penalty not exceeding *five pounds*.

*Beerhouses of Low Rateable Value.*

Annual rateable value.

**27.** From and after the commencement of this Act, notwithstanding anything contained in section forty-five of the Licensing Act, 1872, no licence shall be granted or renewed to any house or premises of which the annual rateable value is less than *twelve pounds*.

*Railway Stations.*

Railway station refreshment rooms.

**28.** Section four of the Sunday Closing (Wales) Act, 1881, is hereby repealed, and from and after the commencement of this Act no intoxicating liquor shall be sold on Sunday at a railway station to persons arriving at or departing from such station by railroad or otherwise.

# Sunday Closing (Wales) Act (1881) Amendment.

A

# B I L L

To amend the Sunday Closing (Wales) Act, 1881.

(*Prepared and brought in by Mr. John Roberts, Mr. Osborne Morgan, Sir Hussey Vivian, Mr. Bryn Roberts, Mr. Arthur Williams, and Mr. Samuel Smith.*)

*Ordered, by* The House of Commons, *to be Printed*, 26 *November* 1890.

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[Bill 35.]

A

# B I L L

TO

Enable County Councils to provide a Fund, by deductions from Salaries and Wages of Officers and Servants in their employment, and to grant Superannuation Allowances therefrom. A.D. 1891.

WHEREAS it is expedient in order to prevent future burdens on the rates that county councils should be enabled to grant superannuation or retiring allowances to all officers and servants who become disabled or disqualified by age or infirmity or any other causes from properly discharging the duties of their offices:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

**1.** This Act may be cited for all purposes as the County Council (Officers Superannuation) Act, 1891. Short title.

**2.** In this Act the term "officer" or "servant" shall include the paid staff of every grade—secretaries, clerks, medical officers, engineers, inspectors, and all other officials employed under the county councils. Definition of officer, &c.

**3.** The term "county council" shall mean all county councils in England and Wales. County council.

**4.** As and from *the passing of this Act* each and every county council shall be entitled to, and shall deduct from every payment made in respect of the salary or wages of each one of their officers and servants subsequently appointed, and for whom provision is not otherwise made by Act of Parliament, such a sum as shall bear the proportion of *two-thirds to one-third* of any contribution that may be made by the county council, and which contributions together, shall be so calculated and arranged under properly qualified actuaries as to form a sufficient and solvent fund for the superannuation allowances herein-after mentioned, and each county council shall frame a scheme in such a manner as to provide for the security of payment of such superannuation allowances. Deduction from salaries to meet superannuation allowances.

A.D. 1891.

Super-annuation allowances.

**5.** The county councils shall pay superannuation allowances to such of their said officers and servants as shall become entitled thereto according to the scale at the time and in the manner provided for.

Sums deducted to be held in trust by the county council.

**6.** All the sums so to be deducted as aforesaid from the salaries and wages of the said officers and servants shall, when deducted, be held by the county council in trust for the benefit of such of their officers and servants as shall be entitled thereto, or their representatives, in the event of their decease.

Super-annuation allowance.

**7.** Every such officer and servant permanently employed by the council at any place or in any capacity shall, from and after the date of his superannuation or retirement from the service of the council at the prescribed age, receive from the council during the remainder of his life a superannuation allowance according to the prescribed scale.

Age for super-annuation.

**8.** The prescribed age for superannuation from the service of the council shall in all ordinary cases be *sixty-five years*, but in the case of any officer or servant who shall be compelled by ill-health, or in consequence of any re-arrangement or abolition of appointments to retire, he shall become entitled to a relative superannuation allowance under the scale.

Scale of super-annuation allowances.

**9.** The prescribed scale according to which the superannuation allowances shall be computed shall (except in the cases herein-after mentioned) be as follows; that is to say,—

Each officer or servant, whether on annual salary or weekly wages, shall receive annually such a sum as shall be equal to *one-sixtieth* part of the amount of his salary or wages at the date of his superannuation or retirement for every year fully ended during which he shall have been in the service of the council.

Gratuity.

**10.** If any such officer or servant of the council shall be superannuated at the prescribed age after he has been in such service for a less period than *ten years*, the council may at their option either pay such officer or servant a superannuation allowance according to the prescribed scale, or may give him in lieu of such allowance such a sum by way of a gratuity as shall at least be equal to *two weeks* salary or wages (according to the rate of his salary or wages at the date of his superannuation) for every year fully ended during which he shall have been in the service of the council.

Dismissal on account of bad behaviour.

**11.** If any officer or servant shall at any time be dismissed from the service of the council for fraud, dishonesty, or misconduct,

he shall absolutely forfeit all right to any superannuation allowance, and he shall have no claim to or right in respect of any of the sums deducted from his salary or wages; but in the event of the death of any officer or servant while in the service of the council, his representatives shall have the right to any sums so deducted as aforesaid payable either by way of a lump sum or by such allowance as the county council may think fit, and including any interest which may have accrued upon such deductions.

Rules with regard to the dismissal of persons

**12.** No agreement as to any deduction, and no deduction under this Act from any salary, wages, or emolument shall entitle any person to be retained in the service or employment of the county council for any longer period than the period during which he would otherwise be retained if no such deduction were to be made, and nothing in this Act contained shall be deemed an obstacle to dismissal or the subject of compensation on dismissal further than this Act provides for.

Revision of superannuation allowances from time to time.

**13.** The county council may from time to time revise the scale of superannuation allowances as to any appointments subsequent to such revision, but any such alteration must be such as to make the fund solvent, and subject to such scheme being certified by the Registrar of Friendly Societies or the Actuary of the National Debt Office.

The Superannuation Fund.

**14.** All deductions from salaries, wages, and emoluments, as aforesaid, shall be carried to a separate fund, to be entitled "the Superannuation Fund," and the said fund and income derived from the investment thereof shall be used for no other purpose than the payments under this Act.

Expenses of keeping accounts.

**15.** The cost of keeping the necessary accounts of the "Superannuation Fund," and the administration of the same, shall be paid out of the general funds at the disposal of the county council.

# Superannuations (Officers of County Councils).

A

# B I L L

To enable County Councils to provide a Fund, by deductions from Salaries and Wages of Officers and Servants in their employment, and to grant Superannuation Allowances therefrom.

(*Prepared and brought in by Mr. Norris, Mr. Lawson, Sir Richard Temple, Sir Albert Rollit, Mr. Edmund Robertson, and Mr. Jennings.*)

*Ordered, by* The House of Commons, *to be Printed*, 26 *November* 1890.

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[*Price* ½*d.*]

[Bill 86.]

# Teachers' Registration Bill.

## ARRANGEMENT OF CLAUSES.

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Clause.
1. Short title.
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3. Definitions.
4. Limit to application of Act.

*The Council.*

5. Establishment and functions of Educational Council.
6. Constitution of Council.
7. Qualifications of members of Council.
8. General powers of the Council.
9. Proceedings of Council.
10. Time and place of meeting of Council.
11. Quorum.
12. Election of chairman of Council.
13. Election of members of Council.
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17. Members of Council not to be personally liable and to be indemnified by the Council.
18. Appointment of registrar and other officers.
19. Fees for attendance at Council.
20. Application of registration fees.
21. Accounts to be published.

*Register of Teachers.*

22. Qualification for registration for three years from passing of Act.
23. Qualification for registration after three years from passing of Act.

Clause.
24. Council to register all duly qualified persons.
25. Removal of name from register.
26. Restoration of name to register.
27. Duty of registrar as to register.
28. Fees for registration.
29. Fees for examinations.
30. None but registered teachers to recover charges.
31. Register to be published.

*Offences.*

32. Penalty on wilful falsification of register.
33. Penalty for obtaining registration by false representations.
34. Penalty for falsely pretending to be registered.

*Supplemental.*

35. Recovery of fees, penalties, &c.
36. Service of notices by post.

A

# B I L L

TO

Provide for the Registration of Teachers. A.D. 1890.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Preliminary.*

Short title. **1.** This Act may be cited as the Registration of Teachers Act, 1891.

Commencement of Act. **2.** This Act shall commence and take effect from the *first day of January, one thousand eight hundred and ninety-two.*

Definitions. **3.** In this Act—

"Council" means the Council to be established under this Act:

"Teacher" means either a head or principal or an assistant teacher and every person who forms part of the educational staff of any school:

"Registered teacher" means a teacher for the time being registered under this Act:

"Registrar" means the registrar of the Council for the time being or his duly appointed deputy or representative.

Limit to application of Act. **4.** This Act shall not apply to a head of any college or hall, professor, deputy or assistant professor, tutor, reader, or lecturer in any university or college forming part of any university, or any other person forming part of the educational staff of such university or college, nor to any reader or lecturer appointed by or acting under the control of the learned societies of the Inner Temple, the Middle Temple, Lincoln's Inn, Gray's Inn, or any or all of them, nor until a date to be fixed at the direction of the Council to tutors or governesses resident in private families, nor to tutors or governesses giving lessons in private families: Provided always

A.D. 1890.

that no teacher in a school be disqualified for registration by reason that he or she also gives lessons in private families.

*The Council.*

Establishment and functions of Educational Council.

**5.** A Council shall be established for the purpose of forming and maintaining an authoritative register of duly qualified teachers, under the style and title of the Educational Council of the United Kingdom, and for the performance of such other duties as are in this Act mentioned.

Constitution of Council.

**6.** The Council shall be a body corporate with perpetual succession and a common seal, with power to take, hold, and dispose of land and other property for the purposes of this Act, and shall consist of the following members, viz.:—

Four persons nominated by the Queen, with the advice of Her Privy Council.

And the persons elected from time to time by each of the following bodies, that is to say:—

Two by the Hebdomadal Council of the University of Oxford;

Two by the Senate of the University of Cambridge;

Two by the Senate of the University of London;

One by the corresponding authority in each of the other universities of the United Kingdom now in existence, or which may be hereafter established;

Two by the College of Preceptors;

Two by the National Union of Teachers;

Two by the Teachers' Guild of Great Britain and Ireland;

Two by the Irish National Teachers' Association;

Two by the Educational Institute of Scotland;

One by the Conference of Head Masters;

One by the Conference of Head Mistresses.

Four additional members of the Council, herein-after referred to as additional members, shall be elected by the general body of registered teachers at the expiration of three years from the commencement of this Act, as herein-after provided.

The Council shall have power to reconsider the representation granted to the before-mentioned associations, other than universities, in this clause mentioned, and to add to or reduce the number which shall be entitled to elect representatives, provided that the number of such representatives shall never exceed twelve, or be less than eight.

Representatives of other bodies may be admitted by the Council.

A.D. 1890.

Qualifications of members of Council.

**7.** The members of the Council other than those nominated by the Queen must be qualified and entitled to be registered under this Act, or must be so qualified in all respects except that of being actually engaged or having been engaged as teachers.

General powers of the Council.

**8.** When and so soon as the Council shall have been duly constituted under the provisions of this Act, the Council is hereby empowered, without prejudice to any other power or anything herein-after contained, to form and keep a correct register of teachers, to be called the register of teachers, to inquire into and report upon the courses of study and examinations which are from time to time requisite for obtaining the diplomas and certificates qualifying for registration under this Act, to conduct examinations of teachers and other persons applying for the Council's certificates of proficiency in the theory and practice of teaching, to issue such certificates and to purchase, acquire, and hold land for the purpose of constructing examination halls or other buildings required for carrying out the purposes of this Act, and to perform all other acts, matters, and things incidental to the above powers.

Proceedings of Council.

**9.** The Council shall have power to appoint from their own number committees, with such powers and such limitations as the Council may from time to time decide, to discharge special departments of its functions. All acts of such committees which are in accordance with the powers and instructions conferred on them by the Council shall be valid, provided always that no committee shall have power to make, alter, or abrogate the regulations or orders of the Council.

Time and place of meeting of Council.

**10.** The Council shall hold their first meeting within six months from the commencement of this Act in such place and at such time as Her Majesty in Council shall appoint, and shall elect a chairman out of their own number for a term not exceeding *three years*, and make such rules and regulations as they shall think fit as to the times and places of the meeting of the Council and the mode of summoning the same as they shall think fit, which rules and regulations shall remain in force until altered or repealed with the like approval at any subsequent meeting; in the absence of any rule or regulation as to the summoning a meeting of the Council it shall be lawful for the chairman to summon a meeting at such time and place as to him shall seem expedient by notice in writing addressed to each member, and at every meeting in the absence of the chairman some other member to be chosen from the members present shall act as chairman and all acts and resolutions of the Council shall be decided by the votes of the majority of the members

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present at any meeting, and at all such meetings the chairman for the time being shall, in case of an equality of votes, have a second or casting vote in addition to his vote as member of the Council.

Quorum.

**11.** The quorum of a meeting of the Council shall be nine.

Election of chairman of Council.

**12.** The Council shall from time to time on the occurrence of a vacancy in the office of chairman of the Council elect one of their number to be chairman for a term not exceeding *three years*, and not extending beyond the expiration of the term for which he has been appointed a member of the Council.

Election of members of Council.

**13.** The members of the Council shall in all cases be nominated or elected, as the case may be, for the term of *five years*, and shall be capable of re-appointment on the expiration of such term, and in the case of members other than the additional members shall be nominated or elected in such manner as the university or other electing body shall from time to time determine; and with respect to the election of the additional members of the Council by the general body of registered teachers after the expiration of three years from the commencement of this Act the following provisions shall have effect:—

(i.) The election shall, subject to the provisions herein-after contained, be conducted in such manner as may be provided by regulations to be made by Her Majesty in Council:

(ii.) The nomination shall be in writing and the nomination paper of each candidate shall be signed by not less than ten registered teachers:

(iii.) The election shall be conducted by voting papers, and it shall be the duty of the Council to cause a voting paper to be forwarded by post to each registered teacher at his registered address, but the election shall not be rendered void by reason of the omission of the Council to cause such voting paper to be forwarded in any particular case, and any registered teacher to whom a voting paper has not been sent may obtain such paper by application to the registrar:

(iv.) Any registered teacher may vote for as many candidates as there are additional members to be elected.

Vacancies on the Council.

**14.** If a member of the Council absents himself during six successive months from all meetings of the Council, except from temporary illness or from any other cause approved by the Council, or is adjudged bankrupt, or has entered into a composition or arrangement with his creditors, he shall cease to be a member of the Council, and his office shall thereupon be vacant. Any member may at any time resign his appointment by a notice in writing

under his hand addressed to the registrar of the Council and to the registrar, secretary, or other like official of the university or body who elected such member, and upon the death, resignation, or incapacity to act of any member of the Council the vacancy thereby caused shall with all convenient speed be filled up by the Queen or by the university, association, or body whose representation upon the Council is thereby diminished, and in the case of an additional member the Council shall co-opt a registered teacher for the residue of the term for which such additional member was elected.

Provided always that it shall be lawful for the Council or any committee thereof during such vacancy to exercise any of the powers hereby conferred upon them, and all acts done by the Council or any such committee shall, notwithstanding it may be afterwards discovered that there was some defect in the appointment or qualification of any member of the Council, be as valid as if every member of the Council had been duly qualified and appointed.

Minutes of meetings of Council.

**15.** The Council shall cause minutes to be duly entered in books provided for the purpose of all appointments of officers of the names of the members present at each meeting of the Council or of any committee thereof, of all orders and regulations made by the Council, and of all resolutions and proceedings of all meetings of the Council or such committees; and all such minutes of any meeting of the Council or of any committee thereof purporting to be signed by the chairman of such meeting or the chairman of the next succeeding meeting shall be received as primâ facie evidence of the facts stated in such minutes.

Evidence as to meetings of Council and committees.

**16.** Until the contrary is proved, every meeting of the Council or of a committee in respect of the proceedings and matters whereof minutes have been so made shall be deemed to have been duly convened and held, and all the members thereof shall be deemed to have been duly qualified, and when the proceedings are proceedings of a committee the same shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

Members of the Council not to be personally liable, and to be indemnified by the Council.

**17.** No member of the Council by being party to or executing in his capacity of member any contract or other instrument on behalf of the Council or otherwise lawfully exercising any of the powers given to the Council, shall be subject to be sued or prosecuted either individually or collectively by any person whatsoever, and the goods or lands of the members of the Council shall not be liable to execution of any legal process by reason of any contract or other

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instrument, or by reason of any other lawful act done by them in the execution of any of their powers as members of the Council, and the members of the Council and their respective legal representatives shall be indemnified out of the funds, moneys, and other property of whatsoever description of the Council for all payments made or liability incurred in respect of any acts done by them and for all losses, costs, and damages which they may incur in the execution of the powers conferred upon them, and the Council shall apply the funds, moneys, or other property of the Council for the purposes of such indemnity.

Appointment of registrar and other officers.

**18.** The Council shall appoint a registrar, who shall act as secretary of the Council, and may also act as treasurer unless another person be appointed, and the Council may also appoint all such examiners and other officers and servants as shall be necessary for the purposes of this Act, and every person so appointed shall be removable at the pleasure of the Council, and shall be paid such salary or other emolument as the Council shall think fit.

Fees for attendance at councils.

**19.** There shall be paid to the members of the Council such fees for attendance and such reasonable travelling expenses as shall from time to time be allowed by the Council and approved by Her Majesty in Council.

Application of registration fees.

**20.** All moneys arising from fees payable on registration or for examination or from the sale of copies of the register or otherwise from penalties, together with all rents, dividends, interest, or other income, gifts, legacies, bequests, and all other receipts whatsoever, shall be applied in accordance with such regulations as may be from time to time made by the Council, in defraying the expenses of and incidental to registration and examination and of carrying out the other purposes of this Act.

Accounts to be published.

**21.** The registrar or the treasurer, if such officer be appointed by the Council, shall enter in books to be kept for that purpose true accounts of all sums of money received by him and paid under this Act, and such accounts shall be audited and submitted by him to the Council at such times as the Council shall determine. These accounts shall be published annually and, together with a report of the Council upon the courses of study and examinations and training of teachers into which they are directed to inquire under this Act, shall be laid before both Houses of Parliament in the month of March in each year if Parliament be then sitting, or if Parliament be not then sitting, within one month after the commencement of the next sitting of Parliament.

*Register of Teachers.* A.D. 1890.

Qualification for registration for three years from passing of Act.

**22.** The persons qualified for admission to the register of teachers for three years from the *passing of this Act* shall be all teachers who shall have been engaged in teaching for not less than *two years*.

Qualifications for registration after three years from passing of Act.

**23.** After the expiration of three years from the *passing of this Act* a person shall not be qualified to be registered unless he or she is twenty-one years of age, and at the time of applying to be registered—

(A.) (i.) shall hold a certificate by examination in the theory and practice of education from the Council by this Act created; or

(ii.) a certificate by examination issued under the authority of the Education Department for England, Ireland, and Scotland;

(iii.) or the teaching diploma of the University of Cambridge;

(iv.) or the teaching diploma of the University of London;

(v.) or the teaching diploma of any other university or public body in the United Kingdom hereafter to be approved by the Council;

(vi.) or the fellowship or licentiateship of the College of Preceptors;

(vii.) or, in the case of teachers of any special subjects, has satisfied the Council that he or she is qualified to be registered as a teacher of those special subjects; and

(B.) in all the above cases shall have given evidence in such a way as the Council may direct of practical ability to teach and shall have taught for two years in a school recognised as efficient for the purpose by the Council.

Provided always, that at any time after five years from the *passing of this Act*, the Council shall have power to reconsider and decide what diplomas other than the first two in this section mentioned, shall be accepted as a qualification for registration.

Council to register all duly qualified persons.

**24.** The Council shall cause to be entered upon the register all applicants for registration who are qualified under the two last preceding sections, and shall cause to be inserted after the name of each registered teacher a statement of all university degrees, diplomas, certificates, or other qualifications or distinctions to which such registered teacher shall certify the Council that he is entitled: Provided always, that the Council shall not in any case be bound to register any teacher until he has satisfied them of his good moral character: And provided further, that the statement of the degree or qualifications as aforesaid shall not in any way operate to disentitle the Council to distinguish the registered teachers by such

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other marks or letters as the Council by their regulations and orders may deem expedient.

Removal of name from register.

**25.** The Council may direct that a name be removed from the register in the following cases:—

(i.) At the request or with the consent of the person whose name is to be removed:

(ii.) When the name has been entered in consequence of mistake or fraud:

(iii.) Where the Council, after due inquiry, are of opinion that a registered person is, in consequence of misconduct, unfit to be a teacher: Provided that no due inquiry shall be deemed to have been made till such person has had reasonable notice of the charge made against him, and has been called on by the Council under the hand of the registrar to explain the matter complained of.

Restoration of name to register.

**26.** Where the Council have removed the name of any person from the register (except by consent, in which case the restoration of the name to the register shall be deemed for all purposes an original registration, and be subject to the rules relating thereto) the name of that person shall not be reinstated in the register except by a resolution of the Council.

Duty of registrar as to register.

**27.** Without prejudice to such other duties as to the register or otherwise as may be from time to time imposed upon him by the Council under the powers of this Act, the duty of the registrar with respect to registration shall be as follows; that is to say,

(i.) To enter in his register the names and addresses and such other particulars as the Council by their regulations direct of every applicant for registration who has complied with the terms and provisions of this Act and the orders of the Council made in accordance herewith:

(ii.) To make all such alterations in the entries as are rendered necessary by any such order of the Council or by the change of name, address, qualification, or other particular of any registered teacher:

(iii.) To remove the names of all deceased persons:

(iv.) To erase or renew any entries in pursuance of any resolution or order of the Council as to the removal or reinstating of the name of any registered teacher from or in the register:

(v.) And generally to carry out all lawful directions of the Council with respect to the accurate and correct keeping of the register.

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Fees for registration.

**28.** Every applicant for registration under this Act shall, prior to registration, pay to the registrar, or to such person as the Council appoint, such fees as the Council from time to time direct, not exceeding for the first five years the sums herein-after specified; that is to say,

In the case of persons duly qualified at the time of the commencement of this Act applying *before the first day of January, one thousand eight hundred and ninety-three, one pound:*

In the case of persons so qualified applying *after* the first day of January one thousand eight hundred and ninety-three, *five pounds:*

In the case of other persons applying at any time, *three pounds.*

Fees for examinations.

**29.** The Council shall also have power to demand and take such reasonable fees for the examinations held and certificates granted by them as the Council shall from time to time fix and determine.

None but registered teachers to recover charges.

**30.** From and after the commencement of this Act no person shall be entitled to recover any charge in any court of law for any service performed by him as a teacher, unless he shall first prove to the court that he is registered under this Act, and, for the purposes of this proof, a copy of the entry in the register certified to be a true copy under the hand of the registrar shall be sufficient primâ facie evidence.

Register to be published.

**31.** The registrar of the Council shall in every year cause to be printed and published, under the direction of the Council, correct copies of the register as the same existed on the *first day of January* immediately preceding such publication, and this register shall be called the Register of Teachers; and a copy of this register for the time being, purporting to be so printed and published as aforesaid, shall be evidence in all courts and before all justices of the peace and others that the persons therein specified are registered according to the provisions of this Act: Provided always, that in case of any person whose name does not appear in such copy, a certified copy under the hand of the registrar of the Council of the entry of the name of such person in the register shall be evidence that such person is registered under the provisions of this Act, and of all matters entered therein.

*Offences.*

Penalty on wilful falsification of register.

**32.** Any registrar who shall wilfully make or cause to be made any falsification in any matters relating to the register shall be deemed guilty of a misdemeanor and shall on conviction thereof be imprisoned for any term not exceeding *twelve months.*

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Penalty for obtaining registration by false representations.

**33.** Every person who wilfully procures or attempts to procure himself to be registered under this Act by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration, either verbally or in writing, or who forges or fraudulently alters, or who causes to be forged or fraudulently altered, any certificate given under this Act, or any diploma or certificate mentioned in section twenty-three hereof, and every person who aids or abets in any such offence, shall be deemed guilty of a misdemeanor, and shall on conviction thereof be imprisoned for any term not exceeding *twelve months.*

Penalty for falsely pretending to be registered.

**34.** Every person who falsely pretends, or falsely adopts or uses, any style, title, designation, or description importing that he or she is registered under this Act, or that he or she holds a certificate signifying such registration, or that he or she is registered in or holds a certificate of registry in another category than that which he or she is actually registered in or holds under this Act, or that he or she holds any qualification under or is recognised as a teacher by the Council, shall be liable on summary conviction to a penalty not exceeding *twenty pounds.*

*Supplemental.*

Recovery of fees, penalties, &c.

**35.** All fees, and all damages, costs, and expenses due and payable to the Council under this Act, or under any order or regulation made in pursuance of this Act, shall be recoverable by the Council as simple contract debts, and all penalties may be prosecuted and recovered before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts.

Service of notices by post.

**36.** All notices and documents required to be given or sent in pursuance of this Act may be sent by post, and the same when sent to the Council or any university or other body shall be deemed to be properly addressed if addressed to the Council or such university or body, or to the registrar of the Council, or some official of such university or body at the principal office of the registrar or such official, and when sent to a registered teacher shall be deemed to be properly addressed if addressed to him at the address entered in the register at the date of the sending of the notice or document.

# Teachers' Registration.

A

# B I L L

To provide for the Registration of Teachers.

(*Prepared and brought in by Mr. A. H. Dyke Acland, Mr. Sydney Buxton, and Mr. Hobhouse.*)

*Ordered, by* The House of Commons, *to be Printed,* 26 *November* 1890.

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[Bill 48.]

# Teachers' Registration and Organisation Bill.

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SCHEDULES.

A

# B I L L

For the Registration and Organisation of Teachers. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

*Preliminary.*

Short title. **1.** This Act may be cited as the Teachers' Organisation and Registration Act, 1891.

Extent of Act. **2.** This Act shall not extend to Scotland or Ireland.

Application of Act. **3.** This Act shall apply exclusively to schools at which intermediate education is supplied, and shall not apply to any school mentioned in section three of the Public Schools Act, 1868 (that is to say, the schools of Eton, Winchester, Westminster, Charterhouse, Harrow, Rugby, and Shrewsbury), or to any school receiving aid from any parliamentary grant or local rate, or otherwise being a public elementary school within the meaning of the Elementary Education Act, 1870, or any Act amending the same.

Definitions. **4.** In this Act—

"Council" means the council to be established under this Act:

"School under this Act" means a school to which this Act applies:

"Elementary school" means a school or department of a school at which elementary education is the principal part of the education there given, and does not include any school or department of a school, whether public or private, at which the ordinary payments in respect of the instruction from each scholar exceed ninepence a week:

"Teacher" means either a head or principal or an assistant teacher:

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"Registered" means for the time being registered under this Act:

"Education Department" means the Lords of the Committee of the Privy Council on Education.

*The Educational Council.*

Establishment and functions of Educational Council.

**5.** There shall be established an educational council, of which the functions shall be the organisation and registration of teachers in schools under this Act, the inquiring into and reporting on the courses of study and examinations required of those teachers, the examination of teachers, and the performance of such other duties as are in this Act mentioned.

Constitution of council.

**6.**—(i.) The council shall be a body corporate by the name of the Educational Council for England, with perpetual succession and a common seal.

(ii.) The council shall consist of sixteen members, of whom two shall be from time to time elected by each of the five following bodies:—

The Education Department;

The Hebdomadal Council of the University of Oxford;

The Council of the University of Cambridge;

The Senate of the University of London; and

The Council of the College of Preceptors.

Two shall be nominated by the Queen, with the advice of Her Privy Council.

The remaining four shall likewise, in the first instance, be so nominated by the Queen, but shall subsequently be elected by the general body of registered teachers as hereinafter provided.

(iii.) A person shall not be qualified to be a member of the council unless he is qualified to be registered under this Act, or is so qualified in all respects except that of being actually engaged as a teacher, or unless he has been nominated by the Queen or by the Education Department.

(iv.) Of the six persons to be nominated by the Queen, or so nominated in the first instance, and subsequently elected as hereinbefore mentioned, two may be women.

(v.) With respect to the election, nomination, and term of office of members of the council, the rules in the First Schedule to this Act shall be observed.

Time at which council comes into office.

**7.** The council shall come into office on the *first day of January, one thousand eight hundred and ninety-two.*

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Proceedings of council.

**8.**—(i.) The council may from time to time delegate any of their powers to a committee consisting of such number of members of the council as they think fit; but any committee so formed shall, in the exercise of the powers delegated, conform to any regulations imposed on them by the council.

(ii.) No act or proceeding of the council, or of a committee of the council, shall be questioned on account of any vacancy in their body.

(iii.) No defect in the qualification or election of any person acting as member of the council, or of a committee of the council, shall vitiate any proceedings of the council or committee, if the majority of members parties to the proceedings are entitled to act.

(iv.) A minute of proceedings at a meeting of the council, or of a committee thereof, signed at the same or next ensuing meeting by the chairman, or a member of the council or of the committee describing himself as chairman thereof, shall be received in evidence without further proof.

(v.) Until the contrary is proved, every meeting of the council or of a committee, in respect of the proceedings whereof minutes have been so made, shall be deemed to have been duly convened and held, and all the members thereof shall be deemed to have been duly qualified, and, when the proceedings are proceedings of a committee, the committee shall be deemed to have been duly constituted, and to have had power to deal with the matters referred to in the minutes.

(vi.) No member of the council, or of a committee of the council, by being party to, or executing in his capacity of member, any contract or other instrument on behalf of the council or committee, or otherwise exercising any of the powers given to the council or committee, shall be subject individually to any legal proceeding; and the council or committee may apply any moneys from time to time in their hands for the purpose of paying any costs of legal proceedings or damages they may incur in execution of the powers granted to them.

(vii.) The rules in the Second Schedule to this Act shall be observed.

Power to appoint officers.

**9.** The council may from time to time appoint and remove a registrar, treasurer, secretary, examiners, and such other officers and clerks as they require, and may assign them such remuneration as the council think fit.

Expenses of members of council.

**10.** Each member of the council shall be entitled for each time that he attends a meeting of the council to receive such reasonable

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fee and such amount for his expenses as the council from time to time may fix, with the approval of the Education Department.

*Register of Teachers.*

Register to be kept of teachers in schools under Act.

**11.** The council shall form and keep a register of persons engaged as teachers in schools under this Act; it shall be called the educational register, and is in this Act referred to as "the register."

Qualifications for registration.

**12.** A person shall not be qualified to be registered unless he or she is *twenty-one years* of age, and is at the time of applying to be registered engaged as a teacher in a school under this Act; and

(i.) Is a graduate by examination of any university in the United Kingdom, or of any foreign or colonial university approved by the council for the purposes of this Act; or

(ii.) Holds a certificate by examination issued under the authority of the Education Department; or

(iii.) Holds a certificate by examination of membership of the College of Preceptors, or of having passed any higher examination of that college; or

(iv.) Holds a certificate by examination from the council by this Act created; or

(v.) Holds a certificate of having passed a special examination of any university in the United Kingdom attesting the fitness of the holder to practise the profession of a teacher; or

(vi.) In the case of teachers of any special subject, such as drawing, music, or the like, has satisfied the council that he or she is qualified to be registered as a teacher of that special subject; or

(vii.) Is *at the passing of this Act* bonâ fide engaged as a teacher in a school under this Act.

After a date to be fixed by the Queen by Order in Council, a person shall not be qualified to be registered unless he or she possesses one of the qualifications numbered (i.), (ii.), (iii.), (iv.), (v.), and (vi.) in this section.

Restrictions on registration.

**13.** The council shall not enter on the register the name of any teacher not being qualified as a university graduate under subsection (i.) of the last foregoing section, if he is for the time being engaged in any public elementary school as defined in this Act, whether under a school board or otherwise; and shall not enter on the register the name of any teacher in any other elementary school—

(i.) If the school is for the time being declared inefficient by the Education Department; nor

(ii.) In any other case, until the applicant has produced evidence to the satisfaction of the council that the school is efficient.

Evidence of moral character.

**14.** The council may, in any case or class of cases, refuse to enter the name of any applicant on the register until he or she has produced evidence to their satisfaction of his or her good moral character.

Statutory declaration by applicant.

**15.** Every applicant for registration shall, unless this requirement is in his or her case dispensed with by the registrar, make a statutory declaration under the Act fifth and sixth William IV., chapter sixty-two, that he or she is qualified to be registered.

Qualified teachers to be registered.

**16.** Subject to the provisions of this Act, the council shall enter on the register the name of every applicant for registration who proves that he or she is qualified to be registered.

Rules as to registration.

**17.**—(i.) The council may make, revoke, and alter rules with respect to the register, and the classes into which it is to be divided, and the nature of the qualification entitling to registry in each class, and the evidence to be produced by applicants for registry.

(ii.) The council may grant under their common seal a certificate to the effect that the person therein named is entered in the register, and stating the class in which he or she is registered, and the qualifications which justified the registry, and such other matters, if any, as they think expedient.

(iii.) The council may from time to time make in the register all necessary alterations in the qualifications and addresses of registered persons, and shall erase the name of every person who has died, or is the head teacher of an elementary school, which is for the time being declared by the Education Department to be inefficient.

(iv.) If the council send two letters, at an interval of not less than four and not more than six weeks, addressed to any registered teacher at his or her registered address, inquiring whether he or she has ceased to be engaged in the practice of his or her profession, or has changed his or her residence, and no answer is returned to the letters within six months after the second letter is sent, the council may erase the name of the teacher from the register; but the name of any person erased under this provision shall be restored by the council on good cause being shown by that person.

(v.) The council may, if they think fit, remove from the register the name of any person who has been punished with imprisonment on conviction for any offence, or is found, after due inquiry, to have

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been guilty of immorality, drunkenness, or any misconduct which renders him or her unfit to be a teacher.

Schools under Act, if head teacher registered, to be deemed efficient.

**18.** A school under this Act, of which the head teacher is for the time being registered, shall, for the purposes of the Elementary Education Act, 1870, and the Acts amending the same, be deemed to afford efficient elementary education.

After certain date unregistered teachers not to recover fees.

**19.** After a date to be fixed by the Queen by Order in Council, a person shall not be entitled to recover any money claimed by him or her in respect of services as a teacher in a school under this Act unless he or she is registered under this Act.

Fees for registration.

**20.** Every applicant for registration under this Act shall pay to the registrar, or to such person as the council appoint, such fees as the council from time to time direct, not exceeding the sums herein-after specified; that is to say,

In the case of a person applying before *the first day of January one thousand eight hundred and ninety-two, two pounds.*

In the case of a person applying after *the first day of January one thousand eight hundred and ninety-two, five pounds.*

Annual publication of register.

**21.** The council shall, *in the month of January* in every year, cause to be printed, published, and sold under their direction, correct copies of the register as existing on the *thirty-first day of December* then last preceding.

Evidence of register.

**22.** A register purporting to be kept in pursuance of this Act shall be deemed to be in the proper custody when in the custody of the registrar, and shall be of such a public nature as to be admissible on its mere production from that custody as evidence of all matters entered therein in pursuance of this Act.

*Examination and Courses of Study.*

Inquiries into examinations and courses of study.

**23.** The council shall institute inquiries into and report upon—

(i.) The courses of study and examinations which are from time to time requisite for obtaining the degrees and certificates qualifying for registration under this Act; and

(ii.) All such examinations and inspections of schools under this Act as are conducted by or under the superintendence of any of the English universities, the College of Preceptors, or any persons or body of persons who undertake the duty of instituting, conducting, or superintending such examinations and inspections;

and for that purpose shall place themselves in communication with the governing bodies of those universities and of that college, and with those persons and bodies.

Examination of teachers.

**24.** The council shall have the power, by examiners for this purpose appointed, to hold examinations of persons desiring to be registered as teachers under this Act, and to issue certificates of their qualifications in the knowledge and practice of teaching.

*Offences.*

Penalties for forgery, &c.

**25.** Every person who forges or fraudulently alters any certificate given under this Act, or forges or counterfeits the seal of the council, or by any false or fraudulent representation or declaration, whether orally or in writing, procures or attempts to procure himself or herself to be registered under this Act, and every person who aids or abets in any such offence, shall be deemed guilty of a misdemeanor, punishable with imprisonment for any term not exceeding *twelve months*.

Penalty for falsely pretending to be registered.

**26.** Every person who falsely pretends, or falsely adopts or uses any style, title, designation, or description importing that he or she is registered under this Act, or that he or she holds a certificate signifying such registration, or that he or she is registered in or holds a certificate of registry in a higher or other class than that which he or she is actually registered in or holds under this Act, or that he or she holds any qualification under or is recognised as a teacher by the council, shall be liable, on summary conviction, to a penalty not exceeding *twenty pounds*.

All penalties incurred under this section shall be paid to the council.

Council to take proceedings.

**27.** The council may institute any proceeding for punishing an offence under this Act, and may pay any costs thereby incurred as part of their expenses under this Act.

*Supplemental.*

Exemptions of registered persons.

**28.** Teachers who shall be registered under the provisions of this Act shall be exempt, if they so desire, from serving on all juries and inquests whatsoever, and from serving in all corporate, parochial, ward, hundred, and township offices, and from serving in the militia; and the name of any registered person shall not be returned in any list of persons liable to serve in the militia, or in any such office as aforesaid.

Application of money.

**29.** All money received by the council under this Act shall be applied in carrying into effect the provisions of this Act.

A.D. 1891.

Annual report.

**30.** The council shall once in every year make a report to Her Majesty, stating their proceedings under this Act during the past year, an account of their receipts and expenditure during that year, and such matters as they think expedient with respect to the courses of study, examinations, and inspections into which they are directed to inquire under this Act. They shall also, in their annual reports, state such matters relating to the training and examination of teachers and schools as they consider most conducive to the improvement and general extension of such examinations, especially in the case of endowed schools, and call attention to any deficiency in the powers entrusted to them, with the view of obtaining fresh powers, if needful, for the proper carrying out of the objects of this Act. Each of these reports shall be laid before both Houses of Parliament within fourteen days after the meeting thereof, if Parliament is then sitting, and, if not, within fourteen days after the next meeting of Parliament.

## FIRST SCHEDULE.



### Election of Council.

*Representatives of Education Department, Universities, and College of Preceptors.*

1. The members of the council who represent the universities and the College of Preceptors shall be elected by the respective electing bodies at one of their ordinary meetings or at a meeting summoned for the purpose.

2. The first elections of these members, and of the members elected by the Education Department, shall be held at a time fixed by the Education Department.

3. The subsequent elections shall be held at such time, not being more than three months before the time fixed for the retirement of the member whose place is to be filled, as the electing body determine.

4. It shall be the duty of the persons who respectively have power to summon a meeting of the electing bodies to summon a meeting, if necessary, for the purposes of the election, and otherwise to provide for the electing bodies proceeding to the same.

5. Notice of the election of a person to be a member of the council shall be sent to him by the person who presides over the body by which he is elected, and, in the case of the first elections, other than the election by the Education Department, to the Education Department, and, in the case of all subsequent elections, to the secretary of the council.

6. Of the first members elected by each electing body, one shall retire on the *first day of January one thousand eight hundred and ninety-seven*, and the other on the *first day of January one thousand nine hundred and one.* The electing body shall in each case determine which of the members elected by it is to retire first, and in default of such determination the council shall at their first or some subsequent meeting determine the same by ballot.

7. The office of every retiring member shall be filled by a newly-elected member.

*Members nominated by the Queen.*

8. The members nominated by the Queen shall hold office for the following terms:—

*Two until the first day of January one thousand eight hundred and ninety-seven.*

*Two until the first day of January one thousand eight hundred and ninety-nine.*

Two during Her Majesty's pleasure.

The term for which each member so nominated shall hold office may be determined by Her Majesty at or before the time of nomination.

A.D. 1891.

9. On the expiration of the term of office of each member so nominated, not being a member holding office during Her Majesty's pleasure, his or her place shall be filled by election by the general body of registered teachers.

*Members elected by the general body of Registered Teachers.*

10. The first election of members by the general body of registered teachers shall be held at such time *in the month of December one thousand eight hundred and ninety-six* as may be directed by the council.

11. Every subsequent election shall be held on such day as the council direct, not being less than fourteen days before the day appointed for the retirement of the members whose places are to be filled by the election.

12. On every occasion of the election of members by the registered teachers, the council shall convene a meeting of the electors at a place to be determined by the council for the purpose of the election, and shall give notice of the meeting, and of the time and place at which it is to be held, and of the number of vacancies to be filled up, by advertisement, and in such other manner as the council think best adapted for securing publicity.

13. The president of the council, or some other member of the council appointed by them, shall take the chair and regulate the proceedings at the meeting, and may be assisted in his duties by such number of officers as he may appoint.

14. The meeting shall, so far as relates to the election of candidates, be deemed to be at an end at the expiration of *two hours* from the time appointed for the holding of the meeting.

15. At any such meeting any person or persons may, if he or they consent thereto, be nominated by any elector, and seconded by any other elector, as a member or members of the council.

16. If no more candidates stand nominated than there are vacancies to be filled, the chairman of the meeting shall forthwith declare the candidates who stand nominated to be elected.

17. If, at the expiration of the two hours aforesaid, more candidates stand nominated than there are vacancies to be filled, the chairman of the meeting shall, if a poll is demanded, adjourn the election, and take a poll in manner herein-after mentioned, and the candidates who obtain a majority on the poll shall be deemed to be elected; but if no poll is demanded, the chairman shall ascertain, by show of hands, or otherwise in such manner as he thinks best, the decision of the meeting as to the candidates to be elected, and the decision of the chairman as to the election of the candidates shall be final.

18. A demand for a poll may be withdrawn at any time before the close of the meeting, and if so withdrawn shall be deemed not to have been made.

19. If from any cause, on the occurrence of an election, the number of candidates nominated is less than the number to be elected, the persons so nominated shall be deemed to be elected, and the remaining places shall be filled by an equal number of the retiring members, and the retiring members

to fill the vacancies shall be settled by agreement, or, in case of disagreement, by ballot. A.D. 1891.

20. When a poll is demanded, the chairman of the meeting shall direct a poll to be taken by such person, at such place or places, and on such day as he appoints, not being less than *one clear day* nor more than *three clear days* after the day fixed for the election, and shall give public notice in such manner as he thinks best of the place or places at which, and the day on which, the poll is to be taken.

21. In the case of a poll, votes may be given personally or by proxy. A proxy shall be appointed under the hand of the appointer, but shall not be entitled to vote unless the instrument appointing him is deposited at the office of the council seven days at the least before the day on which he proposes to vote, and no person shall be appointed a proxy unless he is a qualified elector. The instrument appointing the proxy may be in such form as the council direct.

22. The poll shall be opened at twelve o'clock in the forenoon of the appointed day, and shall close at *four o'clock* in the afternoon of the same day.

23. The poll at any place of voting may be closed at any time before *four o'clock*, if *one hour* has elapsed during which no vote has been tendered at that place of voting.

24. The person appointed to take the poll shall cause to be entered in the polling books the name and address of every voter, and the manner in which he votes, and shall, as soon as possible after the close of the poll, sum up the votes.

25. The person appointed to take the poll shall, as soon as possible after the close of the election, publish, in such manner as he thinks best calculated to afford information to the electors, the names of the candidates elected, and, in the case of a contested election, the total number of votes given for each candidate, whether elected or not.

*General.*

26. Each member elected to fill the office of a retiring member shall come into office on *the first day of January* on which the retiring member retired or should have retired, and shall hold office for four years from that date.

27. If in any case no new member is elected, the member formerly elected shall continue in office until a new election is held.

28. Any person who ceases to be a member of the council shall, if otherwise qualified, be re-eligible.

29. A member of the council may resign his office on giving to the registrar of the council one month's previous written notice of his intention to do so.

30. If a member of the council absents himself during *six successive months* from all meetings of the council, except from temporary illness or from any other cause approved by the council, or is adjudged bankrupt, or has entered into a composition or arrangement with his creditors, he shall cease to be a member of the council and his office shall thereupon be vacant.

A.D. 1891.

31. A casual vacancy in the office of member of the council shall be filled by the council, but the member so chosen shall retain his office so long only as the vacating member would have retained it if the vacancy had not occurred.

32. The death of a member between the time of his being elected and the time of his entering office shall be deemed to create a casual vacancy.

## SECOND SCHEDULE.

### PROCEEDINGS OF THE COUNCIL.

1. The council shall meet for the despatch of business, and shall from time to time make such regulations with respect to the summoning, notice, place, management, and adjournment of their meetings, and generally with respect to the transaction and management of business, including the quorum at meetings of the council, as they think fit, subject to the following conditions:—

(*a.*) The first meeting shall be held on a day fixed by the Education Department.

(*b.*) Not less than *one* ordinary meeting shall be held in each month, unless Her Majesty otherwise directs. A meeting shall be held as soon as possible after every retirement of members by rotation.

(*c.*) An extraordinary meeting may be summoned at any time on the requisition of three members of the council, addressed to the registrar of the council.

(*d.*) The quorum to be fixed by the council shall consist of not less than *three* members.

(*e.*) Every question shall be decided by a majority of votes of the members present and voting on that question.

(*f.*) The names of the members present at a meeting, and, on a requisition made by three or more members voting on a question, the names of the members voting on that question, shall be recorded.

(*g.*) Business involving the removal of a teacher from the register, or any new expense and business of which notice is required by the regulations of the council, shall not be transacted unless notice of the business has been sent to every member of the council *seven days* at least before the meeting.

2. The council shall at their first meeting, and afterwards from time to time at their first meeting in each year, elect one of their members to be president, and one other of their members to be vice-president, of the council for the year following the election.

3. If a casual vacancy occurs in the office of president or vice-president, the council shall, as soon as they conveniently can after the occurrence of the vacancy, elect one of their members to fill the vacancy; but the person elected shall retain the office so long only as the person in whose place he is elected might have retained it if the vacancy had not occurred.

A.D. 1891.

4. If at any meeting the president is not present at the time appointed for holding the same, the vice-president shall preside at the meeting; and if neither the president nor the vice-president is present, the members present shall choose one of their number to be the chairman of the meeting.

5. In case of an equality of votes at any meeting, the chairman for the time being of the meeting shall have a second or casting vote.

6. A committee may elect a chairman of their meetings. If a chairman is not so elected, or if the person elected chairman is not present at the time appointed for holding a meeting, the members present shall choose one of their number to be chairman of the meeting.

7. A committee may meet and adjourn as they think proper. Every question at a meeting shall be determined by a majority of votes of the members present and voting on that question; and, in case of an equal division of votes, the chairman shall have a second or casting vote.

8. Any instrument which, if made by private persons, would require to be under seal, shall be under the seal of the council and signed by their registrar. Any notice issued by or on behalf of the council shall be deemed to be duly executed if signed by their registrar. Subject as aforesaid, any appointment made by the council, or a committee of the council, and any contract, order, or other document, made by or proceeding from the council, or a committee of the council, shall be deemed to be duly executed, either if sealed with the seal of the council, or if signed by two or more members of the council or committee authorised to sign it by a resolution of the council or committee, and counter-signed by the registrar. Such authority shall be presumed until the contrary is proved.

# Teachers' Registration and Organisation.

A

# B I L L

For the Registration and Organisation of Teachers.

(*Prepared and brought in by Sir Richard Temple, Sir Lyon Playfair, and Viscount Lymington.*)

*Ordered, by* The House of Commons, *to be Printed,* 5 *December* 1890.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price 2d.*]

[Bill 156.]

A

# B I L L

TO

Amend the Law relating to Technical Instruction. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Explanation of powers of local authority as to technical instruction. 52 & 53 Vict. c. 76.

**1.**—(1.) Subject to the conditions and restrictions contained in the Technical Instruction Act, 1889, a local authority may—

(*a.*) Make such provision in aid of the technical or manual instruction for the time being supplied in a school or institution outside its district as may, in the opinion of the authority, be necessary for the requirements of the district in cases where similar provision cannot be so advantage ously made by aiding a school or institution within its district ; and

(*b.*) Provide or assist in providing scholarships for or pay or assist in paying the fees of students ordinarily resident in the district of the local authority, at schools or institutions within or outside that district.

(2.) In distributing the provision made in aid of technical or manual instruction, the local authority may consider the relative needs of the schools or institutions aided as well as the nature and amount of efficient technical or manual instruction supplied by those schools or institutions respectively.

Short title.

**2.** This Act may be cited as the Technical Instruction Act, 1891, and this Act and the Technical Instruction Act, 1889, may be cited together as the Technical Instruction Acts, 1889 and 1891.

# Technical Instruction.

A

# B I L L

To amend the Law relating to Technical Instruction.

(*Prepared and brought in by Sir Henry Roscoe, Mr. Arthur Acland, Sir Albert Rollit, and Mr. Mather.*)

*Ordered, by* The House of Commons, *to be Printed,* 26 *November* 1890.

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[*Price* ½*d.*]

[Bill 40.]

A

# B I L L

TO

Divide Rates between Landlord and Tenant. A.D. 1891.

WHEREAS it is expedient to make provisions for dividing poor and other rates between the landlord and tenant:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Rates to be shared by landlord and tenant.

**1.** From and after the *passing of this Act* the tenant of all lands, hereditaments, and premises within the meaning of the Agricultural Holdings (England) Act, 1883, shall, upon payment of his rent to his immediate landlord, be entitled to deduct from his said rent *one equal half* part of all sums paid by him during the current half-year or year, as the case may be, for all poor and other rates of whatever description now or hereafter assessed or leviable upon such tenant.

Power to landlord to vote in vestry.

**2.** From and after the *passing of this Act* the landlord of all lands, hereditaments, and premises rated to the poor and other parochial rates from whom the tenant shall, under the first section of this Act, have the right of deducting a portion of the rates, shall have the right of voting at all meetings of the inhabitants in vestry assembled, and of exercising all rights of voting on all occasions possessed by a ratepayer for all parochial or local purposes, as fully and effectually in all respects as if such landlord was assessed to the poor or other rate for a rateable value of one half the amount at which his tenant is for the time being assessed; and for the purpose of ascertaining the number of votes to which such tenant is entitled he shall be deemed to be a ratepayer assessed at one half only of the rateable value for which he is actually assessed to the rate. Provided always, that where the landlord is also a ratepayer in his own right as an occupier, the amount at which he is assessed as a ratepayer in his own right shall be added to the amount at which he is deemed to be assessed under this section,

A.D. 1891.

and as if such amounts constituted one assessment, and the votes he is entitled to in cases where more than one vote is allowed shall be calculated accordingly. Provided also, that this section shall not apply to any right of voting as a ratepayer to be exercised under the Public Health Act, 1875, or any Act amending such Act.

When this Act is to apply to future and present contracts of tenancy.

**3.** This Act shall apply to all future contracts of tenancy from the date thereof, and to all contracts of tenancy current at the *passing of this Act* as from the first day on which the landlord could by giving notice to the tenant determine the contract of tenancy.

Contract to evade void.

**4.** Any contract, agreement, or covenant made by a tenant, by virtue of which he is deprived of his right to deduct from his landlord the portions of rates mentioned in section one of this Act, shall, so far as it deprives him of such right, be void both at law and in equity.

Penalty.

**5.** If any person shall refuse to allow any deduction authorised to be made by this Act out of any rent, every such person shall forfeit the sum of *fifty pounds*, to be recovered in a similar manner to that in which a penalty for not allowing a deduction for property or income tax is recoverable under the Act of the fifth and sixth Victoria, chapter thirty-five, and any Act or Acts amending such Act, and as if the penalty mentioned in this section were a penalty included in the aforesaid Act.

Interpretation.

**6.** In this Act "contract of tenancy" shall have the same meaning as declared by section sixty-one of the Agricultural Holdings (England) Act, 1883.

Short title.

**7.** This Act may be cited as the Agricultural Tenancies Rating Act, 1891.

# Tenancies Rating.

A

# B I L L

To divide Rates between Landlord and Tenant.

(*Prepared and brought in by*
*Mr. Seale-Hayne, Mr. Charles Acland,*
*Mr. Channing, Mr. Cobb, Sir B. Samuelson,*
*and Mr. Halley Stewart.*)

*Ordered, by* The House of Commons, *to be Printed,*
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[Bill 68.]

A

# B I L L

TO

Confirm a Provisional Order under the Thames Valley Drainage Act, 1871, to enable the Thames Valley Drainage Commissioners to put in force the compulsory clauses of the Lands Clauses Acts relating to certain lands in the parish of Northmoor, in the county of Oxford, and in the parish of Appleton with the township of Eaton, in the county of Berks. A.D. 1891.

WHEREAS the Board of Agriculture have, in pursuance of the Thames Valley Drainage Act, 1871, duly made the Provisional Order contained in the Schedule to this Act annexed, and it is by the said Act provided that no such Order shall be of any validity whatever until it shall have been confirmed by Parliament, and it is expedient that the said Order should be so confirmed: 34 & 35 Vict. c. clviii.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

**1.** The Provisional Order contained in the Schedule hereunto annexed is hereby confirmed, and from and after the passing of this Act shall be deemed to be a Public General Act of Parliament and to take effect accordingly. Provisional Order in Schedule confirmed.

**2.** This Act may be cited for all purposes as the Thames Valley Drainage Provisional Order Confirmation Act, 1891. Short title.

[Bill 325.]

A.D. 1891.

## SCHEDULE to which this Act refers.

THAMES VALLEY DRAINAGE.

*Provisional Order to enable the Thames Valley Drainage Commissioners to put in force the compulsory clauses of the Lands Clauses Acts.*

To the Thames Valley Drainage Commissioners, and to all others whom it may concern.

WHEREAS the Thames Valley Drainage Commissioners require to purchase and take the lands described in the schedule hereto for the purpose of constructing a lock and weir across the River Thames.

Now therefore the Board of Agriculture, in pursuance of the powers given to them by the Thames Valley Drainage Act, 1871, the Board of Agriculture Act, 1889, and by any other statutes in that behalf, do hereby empower the Thames Valley Drainage Commissioners, from and after the date of the Act of Parliament confirming this Order, to put in force, with reference to the lands described in the schedule hereto, and for the purposes aforesaid, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement.

The SCHEDULE above referred to.

LOCK AND WEIR No. 1.

*Parish of Northmoor in the county of Oxford.*

| Nos. on deposited Plans. | Description of Property. | Owners or reputed Owners. | Occupiers. |
|---|---|---|---|
| 1 | Pasture field and towpath, and path to private ferry. | Mary Weaving - - | Charles William Wells, William Franklin, the Conservators of the River Thames (James H. Gough, Secretary). |
| 2 | River Thames - | Mary Weaving, the Conservators of the River Thames (James H. Gough, Secretary), the Thames Valley Drainage Commissioners, (Robert Ellett, Secretary). | Charles William Wells, William Franklin. |

Edward William Harcourt, Esquire, lord of the manor.

*Parish of Appleton with the Township of Eaton, in the County of Berks.* A.D. 1891.

| Nos. on deposited Plans. | Description of Property. | Owners or reputed Owners. | Occupiers. |
|---|---|---|---|
| 1 | River Thames - | Mary Weaving, the Conservators of the River Thames (James H. Gough, Secretary), the Thames Valley Drainage Commissioners (Robert Ellett, Secretary). | Charles William Wells. |
| 2 | Pasture field - - | Mary Weaving - - | Charles William Wells. |

Mary Weaving, lady of the manor.

In witness whereof the Board of Agriculture have hereunto set their official seal this fourth day of May one thousand eight hundred and ninety-one.

L.S.

G. A. Leach,
Secretary.

# Thames Valley Drainage Provisional Order.

A

# B I L L

To confirm a Provisional Order under the Thames Valley Drainage Act, 1871, to enable the Thames Valley Drainage Commissioners to put in force the compulsory clauses of the Lands Clauses Acts relating to certain lands in the parish of Northmoor, in the county of Oxford, and in the parish of Appleton with the township of Eaton, in the county of Berks.

(*Prepared and brought in by Mr. Chaplin and Baron Henry De Worms.*)

*Ordered, by* The House of Commons, *to be Printed*, 8 *May* 1891.

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[*Price* ½*d.*]

[Bill 325.]

A

# B I L L

TO

Provide for the control and regulation of Theatres, Music Halls, and Places of Public Entertainment in the Administrative County of London; and for other purposes. A.D. 1891.

WHEREAS it is expedient that the laws now in force for regulating places of public entertainment and theatres, and theatrical performances, in the administrative county of London should be repealed, and that the powers of the London County Council relating to places of public entertainment and other buildings of public resort within the administrative county of London should be extended:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited for all purposes as the London Theatres and Places of Entertainment Act, 1891.

Limits of Act.

**2.** This Act shall extend and apply to the administrative county of London as defined by the Local Government Act, 1888.

Interpretation of terms.

**3.** In this Act—

"The Council" means the London County Council; "the county of London" or "the county" means the administrative county of London as defined by the Local Government Act, 1888:

"Theatre" means any house, room, building, or other place used or constructed or adapted to be used for the public performance of stage plays:

"Place of public entertainment" includes any music hall where music and dancing are confined to the stage, or where ballets or similar entertainments are performed, and any house, room, building, garden, or other place used or constructed or adapted

A.D. 1891.

to be used for public dancing, music, or other public entertainment of the like kind:

"Place of public resort" includes theatres and places of public entertainment, and all other buildings used or constructed or adapted to be used as a public hall, dancing room, concert room, lecture room, or as a public place of assembly, or for public gatherings of any description where money or other reward shall be taken or charged directly or indirectly, or where the purchase of any article is made a condition for the admission of any person, and containing a superficial area for the accommodation of persons resorting thereto of not less than five hundred square feet; but shall not include a private dwelling-house or building used exclusively as a church, chapel, or other place of public worship, or as a college or public elementary school or Sunday school, so far as its use on Sundays is concerned, or hospital, asylum, or workhouse:

"Owner" means the person for the time being receiving the rackrent of the premises in connexion with which the said word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such premises were let at a rackrent and having an interest greater than that of tenant from year to year in such premises:

"Rackrent" means the rent which is not less than two thirds of the full net annual value of the premises out of which the rent arises, and the full net annual value shall be taken to be the rent at which the property might reasonably be expected to let from year to year, free from all usual tenant's rates and taxes and tithe commutation rentcharge (if any), and deducting therefrom the probable average annual cost of the repairs, insurance, and other expenses (if any) necessary to maintain the same in a state to command such rent:

"Approach" means any passage or place in the possession or under the control of the owner of the building or premises whether within or without the same giving access to the entrance hall, lobby, staircases, or other means of ingress to or egress from such building or premises:

"Reversioner" includes the person entitled to the possession of the premises on the expiration or determination of the estate or interest of the owner and any other person having a superior estate to the owner:

"Superintending architect" means the superintending or principal architect for the time being of the Council:

A.D. 1891.

"Stage play" includes every tragedy, comedy, farce, opera, burletta, interlude, melodrama, pantomime, or other entertainment of the like kind consisting of dialogue spoken or sung by the performers:

"The court" means the court of summary jurisdiction before which the proceedings are taken in connexion with which the expression is used:

"Manager" or "keeper" means any person who shall appear, act, or behave himself as master or as the person having the care, government, or management of any place of public resort:

"Home Secretary" means Her Majesty's Principal Secretary of State for Home Affairs for the time being.

All theatres for the performance of plays must be licensed. 6 & 7 Vict. c. 68. s. 2.

**4.** From and after the *first day of April one thousand eight hundred and ninety-two* no person shall keep open any theatre or permit or suffer any stage play to be publicly performed in such theatre unless by virtue of letters patent from Her Majesty, her heirs and successors, or predecessors, or by virtue of a license from the Lord Chamberlain; and every person who shall keep open any theatre, or permit or suffer any stage play to be publicly performed therein without such letters patent or license, shall be liable to a penalty not exceeding *twenty pounds* for every day on which such theatre shall have been so kept open by him, or on which he shall have permitted or suffered any stage play to be publicly performed therein: Provided that at any place of public entertainment duly licensed for music or dancing it shall be lawful to publicly perform a stage play if the duration of each such performance does not exceed twenty minutes, and no more than six persons take part therein, and if there shall be an interval of at least thirty minutes between the performance of any such stage plays, and no two plays performed on the same evening at any place of public entertainment shall have similar or connected plots.

The owner of every theatre kept open by virtue of letters patent shall within one month after the commencement of this Act, or where such letters patent shall be granted after the commencement of this Act, within one month after the granting of the same, deliver two copies of the same to the Lord Chamberlain and to the Council respectively, and, in default of so doing, shall be liable to a penalty not exceeding *ten pounds*, and to a further penalty not exceeding *forty shillings* for every day during which such default continues after the day on which the first penalty is incurred.

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All places of public entertainment must be licensed. 25 Geo. 2. c. 36. s. 2.

**5.** From and after the *first day of April one thousand eight hundred and ninety-two* no person shall keep open any place of public entertainment, or permit or suffer therein any public dancing, music, or other public entertainment of the like kind without a license had for that purpose from the Council, and every person who shall commit any breach of this enactment shall be liable to a penalty not exceeding *fifty pounds* for every day on which such place of public entertainment shall have been so kept open by him, or on which he shall have permitted or suffered any public dancing, music, or other entertainment of the like kin dto take place therein : Provided that notwithstanding anything in this section contained all licenses for public music or dancing granted by the Council, and in force at the passing of this Act, shall continue in force till the *thirty-first day of March one thousand eight hundred and ninety-two* unless revoked or forfeited.

Inscription to be placed over door of place of public entertainment and hours during which it is to be kept open. 25 Geo. 2. c. 36. s. 3.

**6.** There shall be affixed and kept up in some conspicuous place over the door or entrance of every place of public entertainment licensed under this Act [except such places as shall be licensed for temporary purposes only] an inscription in large capital letters in the words following, that is to say, LICENSED PURSUANT TO ACT OF PARLIAMENT OF THE FIFTY-FOURTH YEAR OF QUEEN VICTORIA ; and no such place of public entertainment, although licensed as aforesaid, shall be open for public music, dancing, or other public entertainment of the like kind before the hour of twelve noon ; and the affixing and keeping up of such inscription as aforesaid, and the said restriction as to time shall be inserted and made conditions of every such license, and in case of any breach of either of the said conditions the person holding such license shall be liable to a penalty not exceeding *fifty pounds*, and, in the discretion of the court before which he is convicted, to the forfeiture of such license or the suspension thereof for such period as the court may order : Provided that if on any special occasion an occasional license of exemption shall have been granted under the twenty-ninth section of the Licensing Act, 1872, in respect of any house, room, garden, or other place licensed as a place of public entertainment under this Act, no penalty or forfeiture shall be incurred under this section on account of such house, room, garden, or other place being kept open or used as a place of public entertainment on such special occasion from midnight until the hour specified in such occasional license as the hour of closing.

Superintendent of police to

**7.** If any two inhabitant ratepayers of any parish in which the premises are situated, or any inspector appointed by the Council

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under the provisions of this Act, shall give notice in writing to the superintendent of the metropolitan police of the district in which such premises are situated that any house, room, garden, or other place is kept open for public dancing, music, or other public entertainment of a like kind without a license from the Council, the superintendent of police shall forthwith go with such ratepayers or such inspector, as the case may be, to some court of summary jurisdiction acting in and for the district in which such parish is situated; and such court shall, upon such ratepayers or inspector making oath that they or he believe such house, room, garden, or other place is so kept open without being duly licensed as required by this Act, issue a summons to the occupier, manager, or keeper of such house, room, garden, or other place to appear before such court and answer the complaint, and such ratepayers or inspector shall therefore enter into a recognisance in the sum of *twenty pounds* each to give or produce material evidence against such person for such offence upon the return of the summons, and thereupon it shall be the duty of such superintendent to carry on the said prosecution.

prosecute on information from the ratepayers or inspector of Council. 25 Geo. 2. c. 36. s. 5.

**8.** In case any such superintendent of police shall neglect or refuse upon such notice to go before any court of summary jurisdiction, or shall be wilfully negligent in carrying on the said prosecution, he shall for every such offence forfeit and pay the sum of *twenty pounds* to each of such inhabitants so giving notice as aforesaid, or to the Council where such notice has been given by the inspector, to be recovered in a summary manner in a court of summary jurisdiction.

Superintendent neglecting his duty forfeits 20*l.* 25 Geo. 2. c. 36. s. 7.

**9.** Every owner, occupier, manager, or keeper of any theatre, or of any place of public entertainment or public resort, who shall allow any stage play to be performed therein, or any public music, dancing, or other public entertainment of the like kind to be given therein, or any public gathering or assembly to take place therein, shall be deemed to keep open such theatre, place of entertainment, or resort within the meaning of this Act.

What amounts to keeping open a place of public resort.

**10.** It shall be lawful for the commissioners of metropolitan police by order in writing to authorise any superintendent belonging to the metropolitan police, with such constables as he may think necessary, to enter into any house, building, room, garden, or other place within the county of London kept open or used as a theatre or place of public entertainment without being duly licensed under this Act at any time when the same shall be open for the reception of persons resorting thereto, and to take into custody all persons who shall be found therein without lawful excuse, and

Commissioners of police may authorise superintendent to enter unlicensed theatres and places of public entertainment and apprehend persons found there.

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2 & 3 Vict. c. 47. s. 46.

every person keeping, using, or knowingly letting any house, building, room, garden, or other place for the purpose of being used as an unlicensed theatre or place of public entertainment shall be liable to a penalty not exceeding *fifty pounds*, or, in the discretion of the court before which he is convicted, may be committed to the house of correction, with or without hard labour, for any time not exceeding *two calendar months*, and every person performing or being therein without lawful excuse shall be liable to a penalty not exceeding *forty shillings*, and a conviction under this section shall not exempt the owner, keeper, or manager of any such house, building, room, garden, or place from any penalty or penal consequences to which he may otherwise be liable.

Council may grant licenses to theatres and music halls.

**11.**—(1.) It shall be lawful for the Council to grant licenses to such places of public entertainment as they shall think fit, and, subject to the provisions herein-after in this section contained, every application for a license shall be heard and determined by the Council at an annual public meeting of the Council to be held in each and every year during the month of *March*, and every license shall be sealed with the seal of the Council, and shall be granted upon the condition that the holder of such license shall conform to the rules and regulations of the Council from time to time made under the provisions of this Act.

(2.) Every such license shall be for one year, commencing on the *first day of April* next after the granting of the same, and expiring on the *thirty-first day of March* in the following year.

(3.) The Council may at any time at a public meeting of the Council grant licenses under this Act for temporary purposes, or for periods less than one year, upon such conditions as the Council may think fit to attach thereto: Provided that due notice of the intended application has been given in the manner prescribed by the rules of the Council, and the Council is satisfied that there was sufficient reason for not applying for the license at the annual licensing meeting of the Council in *March*.

5 & 6 Will. 4. c. 39. s. 7.

(4.) It shall be lawful for the commissioners officers of excise, and they are hereby authorised and empowered, to grant retail licenses to any person to sell beer, spirits, and wine in any theatre established under a royal patent, or in any theatre licensed by the Lord Chamberlain, without the production by the person applying for such license or licenses of any certificate or authority from such person to keep a common inn, alehouse, or victualling house, anything in any Act or Acts to the contrary notwithstanding.

(5.) No objection shall be heard against the granting or renewal of a license to any place of public entertainment in respect of the

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structural condition of the same, or on the ground of objection to any stage play performed therein, provided the person by whom such place of public entertainment is kept open possesses a certificate of safety granted under this Act, or provided such stage play has been submitted to the Lord Chamberlain in manner required by this Act and has not been disallowed by him.

Provisional licenses for theatres or music halls. 41 & 42 Vict. c. 32. s. 13.

**12.**—(1.) A person interested in any premises about to be constructed or in course of construction and intended to be used as a theatre or place of public entertainment may apply to the Council for the grant of a provisional license in respect of such premises, and the Council may, if they think fit, grant the same at a public meeting of the Council: Provided that due notice of the intended application has been given in manner prescribed by the rules of the Council.

(2.) A provisional license so granted shall not be of any force until it has been confirmed in the case of theatres by the Lord Chamberlain, or in the case of places of entertainment by the Council at a public meeting of the Council; but the Lord Chamberlain or the Council, as the case may be, shall confirm the same on the production by the applicant of a certificate of completion (as herein-after in this Act defined) from the Council, and on being satisfied that no objection can be made to the character of the holder of such license.

Penalty on persons performing in unlicensed places. 6 & 7 Vict. c. 68. s. 11.

**13.** Every person who for hire shall act or present, or cause, permit, or suffer to be acted or presented, any part in any stage play in any theatre not being a patent theatre or duly licensed for that purpose, or shall sing or take any part in any performance in any place of public entertainment not duly licensed, shall be liable to a penalty not exceeding *ten pounds* for every day on which he shall so offend.

What shall be evidence of acting for hire. 6 & 7 Vict. c. 68. s. 16.

**14.** In every case in which any money or other reward shall be taken or charged directly or indirectly, or in which the purchase of any article is made a condition for the admission of any person into any theatre or place of public entertainment, and also in every case in which any stage play or any music, dancing, or other entertainment of the like kind shall be acted or presented or take place in any house, room, garden, or place in which distilled or fermented excisable liquor shall be sold, every actor and performer therein shall be deemed to be acting or performing for hire.

To whom licenses shall be granted.

**15.** No license shall be granted by the Lord Chamberlain or the Council to any person except the actual and responsible manager for the time being of the theatre or place of public entertainment

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6 & 7 Vict. c. 68. s. 7.

in respect of which the license shall be granted, and the name and place of abode of such manager shall be printed on every playbill or placard announcing any representation at such theatre or place of public entertainment; and such manager shall become bound himself in such penal sum as the Lord Chamberlain or the Council shall require, being in no case more than *five hundred pounds* in the case of a theatre, or of *two hundred pounds* in the case of a place of public entertainment, and two sufficient sureties to be approved by the Lord Chamberlain or the Council, as the case may be, each in such penal sum as the Lord Chamberlain or the Council shall require, being in no case more than *one hundred pounds* in the case of a theatre or of *twenty-five pounds* in the case of a place of public entertainment, for the due observance of the rules which shall be in force at any time during the currency of the license for the regulation of theatres or places of public entertainment, as the case may be, and for securing payment of the penalties which such manager may be adjudged to pay for breach of any of the said rules or any of the provisions of this Act.

Notice of underletting of theatres or place of public entertainment to be given to Council.

**16.** Where any theatre or place of public entertainment licensed under the Act is underlet during the currency of such license, notice of such underletting, and of the name and address of the person to whom the same is underlet, shall within seven days after such underletting be given to the Lord Chamberlain or the Council, as the case may be, by the person so underletting the same. Any person failing to comply with the provisions of this section shall be liable to a penalty not exceeding *twenty pounds*, and to a further penalty not exceeding *ten pounds* for every day during which such default continues after the day on which the first penalty is incurred.

Rules for enforcing order in the theatres and places of public entertainment licensed.

6 & 7 Vict. c. 68. s. 9.

**17.** The Lord Chamberlain and the Council respectively shall from time to time make suitable rules for ensuring order and decency at the several theatres and places of public entertainment licensed by them respectively under this Act, and from time to time may rescind or alter such rules; and it shall be lawful for the Home Secretary to rescind or alter any such rules, and also to make such other rules for the like purpose as to him shall seem fit, and a copy of all rules which shall be in force for the time being shall be annexed to every such license.

Penalty for breach of rules.

6 & 7 Vict. c. 68. s. 9.

**18.** In case of any breach of the said rules in any theatre or place of public entertainment the person holding the license for such theatre or place of public entertainment shall be liable to a penalty not exceeding *fifty pounds* for the first offence and not ex-

ceeding *one hundred pounds* for the second offence, and to a penalty not exceeding *two hundred pounds* for a third offence, or, in the discretion of the court before which he is convicted, to a suspension of his license for such time as the court may determine: Provided that no such person as aforesaid shall be convicted under this section of more than one offence on any one day in respect of the same premises.

No new plays, &c. to be acted till submitted to Lord Chamberlain. 6 & 7 Vict. c. 68. s. 12.

**19.** One copy of every new stage play, and of every new act, scene, or other part added to any old stage play, and of every new prologue or epilogue, and of every new part added to an old prologue or epilogue intended to be produced and acted for hire at any theatre or place of public entertainment, shall be sent to a person appointed for that purpose by the Lord Chamberlain of Her Majesty's household for the time being, and such copy shall be so sent seven days at least before the first acting or presenting thereof, with an account of the theatre or place of public entertainment where and the time when the same is intended to be first acted or presented, signed by the occupier, manager, or keeper of such theatre or place of public entertainment, and during the said seven days no person shall for hire publicly act or present or cause or allow the same to be publicly acted or presented in any theatre or place of public entertainment, and in case the Lord Chamberlain either before or after the expiration of the said period of seven days shall disallow any play, act, scene, prologue, epilogue, or part thereof so sent, it shall not be lawful for any person to publicly act or present the same, or cause or allow the same to be publicly acted or presented, contrary to such disallowance.

Fees to be paid for examination of plays, &c. 6 & 7 Vict. c. 68. s. 13.

**20.** It shall be lawful for the Lord Chamberlain to charge such fees for the examination of the plays, prologues, and epilogues or parts thereof which shall be sent for examination to the person so appointed as the Lord Chamberlain shall from time to time fix, not exceeding those in the First Schedule to this Act, and such fees shall be paid at the time when such plays, prologues, and epilogues or parts thereof shall be sent to the person appointed by the Lord Chamberlain, and the said period of seven days shall not begin to run in any case until the said fee shall have been paid to the Lord Chamberlain or to such officer as he shall appoint to receive the same.

The Lord Chamberlain or the Council may forbid any play, &c.

**21.** It shall be lawful for the Lord Chamberlain in the case of theatres, or the Council in the case of places of public entertainment, whenever he or they shall be of opinion that it is fitting for the preservation of good manners, decorum, or of the public peace so

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6 & 7 Vict. c. 68. s. 14.

to do, to forbid the acting or presenting any stage play or any act, scene, or part thereof, or any prologue or epilogue, or any part thereof, in any theatres or places of public entertainment, or in such theatres or places of public entertainment as he or they respectively shall specify, and either absolutely or for such time as he or they shall respectively think fit.

Penalty for acting plays before they are allowed or after they have been disallowed.

6 & 7 Vict. c. 68. s. 15.

**22.** Every person who for hire shall publicly act or present, or cause or allow to be publicly acted or presented, any stage play or any act, scene, or part thereof, or any prologue or epilogue, or any part thereof, which at the commencement of this Act had not been allowed by the Lord Chamberlain until the same shall have been allowed by the Lord Chamberlain or which shall have been disallowed by him or them, and also every person who for hire shall publicly act or present, or cause or allow to be acted or presented, any stage play, or any act, scene, or part thereof, or any prologue or epilogue, or any part thereof, contrary to such prohibition as aforesaid, shall for every such offence be liable to a penalty not exceeding *fifty pounds*, and every license (in case there be any such) by or under which the theatre or place of public entertainment is kept open in which such offence shall have been committed shall on such conviction become absolutely void if the court shall so order. And in any proceedings under this section if it shall be proved that any stage play or any act, scene, or part thereof, or any prologue or epilogue, or any part thereof, has been publicly acted or presented for hire, the proof shall be on the party accused that the same has been allowed or has not been disallowed, as the case may be.

6 & 7 Vict. c. 68. s. 17.

Proof of license in certain cases to lie on the party accused.

6 & 7 Vict. c. 68. s. 17.

**23.** In any proceedings to be instituted against any person for having or keeping an unlicensed theatre or place of public entertainment, or for acting for hire in an unlicensed theatre or place of public entertainment, if it shall be proved that such theatre or place of public entertainment is used for public performances, the burden of proof that such theatre or place of public entertainment is duly licensed or authorised shall lie on the party accused, and until the contrary shall be proved such theatre or place of public entertainment shall be taken to be unlicensed.

Persons performing at place of public entertainment guilty of impropriety to

**24.** Every person singing or reciting or taking part in the performance of any stage play for hire at any place of public entertainment who shall sing any indecent song or words, or make use of any indecent words or gestures, shall be liable to a penalty not exceeding *twenty pounds* for each offence, and every occupier,

manager, or keeper of such place of public entertainment who permits the same shall be liable to the like penalty.

be subject to penalty.

**25.** It shall be lawful for the Council to require the owner or occupier of any land or building at any time used for the purposes of any fair or similar gathering, or on or in which any shooting gallery, "merry-go-round," booth, show, or other exhibition is placed, erected, or held, to take out a license the granting of which shall be in the discretion of the Council; and in default of so doing the owner or occupier of any land or building who permits such such land or building to be used for the purposes aforesaid, or any of them, shall be liable to a penalty not exceeding *five pounds* for each and every day on which such land or building is used for any of the purposes aforesaid, and the person for the time being acting as manager or keeper of such fair, gathering, shooting gallery, "merry-go-round," booth, show, or exhibition shall also be liable to the like penalty.

Council may require land or building used for fairs, shows, &c. to be licensed.

**26.** The Council may from time to time give notice in writing to the owner or occupier of any theatre or place of public entertainment to execute within a reasonable time to be specified in such notice such works as may in the opinion of the Council be necessary to put such theatre or place of public entertainment in good sanitary state and condition, including proper and sufficient ventilation. Any person failing to comply with such notice shall be liable to a penalty not exceeding *fifty pounds*, and to a further penalty not exceeding *ten pounds* for every day on which such offence shall continue after the day on which the first penalty is incurred.

Power to Council to order execution of sanitary works at theatres or places of public entertainment.

**27.**—(1.) The Council may from time to time make, alter, vary, and amend such regulations as they may think expedient with respect to the requirements for the protection from fire of places of public resort, and for the protection from fire or accident of persons frequenting the same, and may by such regulations prescribe such requirements as the Council think fit as to the position and structure of such places of public resort, and the means of approach and ingress and egress thereto and therefrom, and the provisions of appliances for protection from fire and the condition in which such appliances shall be kept and maintained.

Power to Council to make regulations as to structure, &c. of places of public resort for protection from fire or accident.
41 & 42 Vict. c. 32. s. 12.

(2.) The Council may from time to time in any special case dispense with or modify such regulations or may annex thereto conditions if they think it necessary or expedient so to do.

(3.) The Council shall from time to time cause the regulations for the time being in force to be printed, with the date thereof, and

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a printed copy thereof shall be kept at the office of the Council, and all persons may at all reasonable times inspect such copy without payment, and the Council shall cause to be delivered a printed copy, sealed with their seal, of all regulations for the time being in force to every person applying for the same, on payment by such person of the sum specified in the First Schedule hereto.

(4.) A printed copy of such regulations, dated and sealed with the seal of the Council, shall be sufficient evidence in all proceedings of the existence and due making of such regulations without adducing proof of such seal or of the fact of such making.

(5.) No license under this Act shall be granted to any theatre or place of public entertainment for the first time, nor shall any other place of public resort be opened or used for the first time for any public entertainment or assembly unless and until the Council shall have granted a certificate (in this Act called "a certificate of completion") in writing under their seal that such theatre, place of public entertainment, or other place of public resort has been completed and furnished with appliances for protection from fire in accordance with the regulations of the Council for the time being in force, so far as the same are applicable to such theatre, place of public entertainment, or other place of public resort, and to the conditions (if any) annexed thereto by the Council.

41 & 42 Vict. c. 32. s. 12.

(6.) In case any place of public resort is opened or kept open by any person for any public entertainment or assembly contrary to the provisions of this section, such person shall be liable to a penalty not exceeding *fifty pounds* for every day on which any such place of public entertainment is so kept open as aforesaid.

Annual inspection of places of public entertainment by the Council and the granting of a certificate.

**28.**—(1.) The Council shall in each and every year cause such inspection or inspections to be made by the superintending architect, or some other duly qualified surveyor as they may think necessary, of all places of public resort to ascertain whether the structure of the same is efficiently maintained for the safety of the persons frequenting the same, and whether the regulations of the Council in respect of the same for the protection of the persons frequenting the same from fire and accident are duly observed and the appliances for protection from fire kept so as at all times to be immediately available, and if in the opinion of the Council the structure of any such place of public resort is efficiently maintained for the safety of the persons frequenting the same, and the said regulations are duly observed, and the said appliances are properly kept so as at all times to be immediately available, the Council shall grant a certificate in writing to that effect under their seal or under the

hand of their clerk to the person by whom such place of public resort is kept open, herein-after in this Act called "a certificate of safety."

(2.) Certificates of safety shall be for one year, commencing on the *first day of January* next after the granting of the same, and shall expire on the *thirty-first day of December* following. The first certificate of safety granted under this Act shall commence on the *first day of January one thousand eight hundred and ninety-three.*

(3.) It shall be lawful for the Council from time to time to appoint a committee to visit and inspect all places of public resort, and such inspection shall be for the same purposes as the inspection by the superintending architect or other duly qualified surveyor, and may be held either before or after that inspection as the committee think fit.

Power of Council to order structural alterations to guard against fire or accident. 41 & 42 Vict. c. 32. s. 11.

**29.** The Council may from time to time, after inspection by the superintending architect or some other duly qualified surveyor as herein-before in this Act provided, give notice in writing to the owner of any place of public resort to make within a reasonable time to be specified in the notice any such structural alterations as may in the opinion of the Council be necessary to protect the public frequenting the same from danger arising from fire or accident. Any such notice may require such owner to provide such place of public resort with such ample and convenient means of approach and of ingress and egress thereto and therefrom as the Council may think necessary, having regard to the purposes for which such place of public resort is or is intended to be used and to the number of persons likely to be assembled at any one time therein.

Any person failing to comply with such notice shall be liable to a penalty not exceeding *fifty pounds*, and to a further penalty not exceeding *ten pounds* for every day on which such offence shall continue after the day on which the first penalty is incurred.

Appeal against notice. 41 & 42 Vict. c. 32. s. 11.

**30.** The owner of any such place of public resort may within twenty-eight days after the receipt of such notice serve notice of appeal upon the Council, and thereupon such appeal shall be referred to an arbitrator to be appointed by the Home Secretary at the request of either party, who shall hear and determine the same, and may either confirm the notice served by the Council or may confirm the same with such modifications as he may think fit, or may refuse to confirm the same, and the decision of such arbitrator with respect to such notice and as to the persons by whom and the

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proportions in which the costs of such arbitration are to be paid shall be final and conclusive on all parties.

In the case of an appeal against any such notice the owner of such place of public resort shall not be liable to any penalty until such other day as the arbitrator may fix.

Notice to reversioner.

**31.**—(1.) It shall be the duty of the owner within four days of the receipt of notice requiring him to make any structural alterations to serve a copy of such notice on the reversioner informing him thereof, and the reversioner may at any time within twenty-one days after the receipt by him of such notice state in writing to the clerk of the Council any objection which he may entertain to the required alterations: Provided always, that it shall be lawful for the Council on good cause shown to extend the time for serving the above notice on the reversioner.

(2.) The reversioner shall be entitled to appear before the arbitrator, and be heard on the hearing of any appeal by the owner, and if the owner does not appeal, it shall be lawful for the reversioner at any time within seven days from the expiration of the time during which the owner may appeal to serve notice of appeal upon the Council, and the provisions in the last preceding section contained with reference to an appeal by the owner shall apply to any such appeal by the reversioner: Provided always, that it shall be lawful for the Council on good cause shown to extend the time for any such appeal by the reversioner.

Payment of costs of structural alterations.

**32.**—(1.) The cost and expense of carrying out any structural alterations in accordance with the provisions of this Act shall be borne by the owner in the first instance, and unless the payment of the same shall have been provided for by some contract or agreement between the owner and reversioner or between the owner and occupier the amount properly expended in carrying out such structural alterations to be certified by the superintending architect under his hand shall be repaid by a terminable annuity charged on the premises in the manner in this Act provided.

(2.) Every certificate so given by the superintending architect shall state the date of the completion of the alterations, and shall be in duplicate, one copy whereof shall be retained by the Council and registered in a book to be kept by them for that purpose, and such register shall be open to inspection by any party interested at all reasonable times.

Provisions as to annuity to be charged on the premises.

**33.**—(1.) Subject to the provisions of this Act the amount certified by the superintending architect of the Council to have been properly expended by the owner of any place of public resort in

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carrying out any structural alterations under the provisions of this Act shall be repaid by an annuity which shall by virtue of this Act be charged in favour of the owner on the land and buildings forming such place of public resort.

(2.) Every such annuity shall be payable half-yearly in equal half-yearly payments on the *first day of January* and *first day of July* in each year during a term of *thirty years* from the date of the completion of the alterations as stated in the certificate in such manner that the said amount, together with interest at the rate of *four pounds* per centum per annum on the sum from time to time remaining unpaid, shall be repaid at the end of the said term of thirty years.

(3.) Every such annuity shall be payable by the occupier for the time being of the premises charged therewith, and shall be recoverable from him in any court of competent jurisdiction.

(4.) If any half-yearly payment of any annuity or any part thereof shall be in arrear for twenty-one days after the date when the same became payable, it shall be lawful for the person for the time being entitled to the payment of such annuity to levy the same by seizure and sale of any goods and chattels on the premises on which such annuity is charged in the same manner in all respects and subject to the same rules and exceptions as in the case of a distress for rent in arrear: Provided always, that it shall not be lawful to distrain for any arrears of an annuity which became due more than two years before the making of such distress.

(5.) Every annuity created under this Act shall be deemed a land charge, and shall be registered under the Land Charges and Searches Registration Act, 1888.

(6.) Every annuity created under this Act shall be redeemable at any time by any person interested in the premises on which it is charged by payment to the person entitled to such annuity of the sum then remaining unpaid in respect of principal.

Power to the owner to enter a theatre or music hall or place of public resort. 41 & 42 Vict. c. 32. s. 22.

**34.** For the purpose of complying with the requirements of any notice from the Council under the provisions of this Act the owner of any place of public resort, his servants, workmen, and agents may, after giving seven days notice in writing to the occupier of such place of public resort, enter such place of public resort, and do all such work as may be necessary to comply with the requirements of such notice from the Council; and if any person refuses to admit such owner or his servants, workmen, or agents, or obstructs them in any way in carrying out the requirements of such notice from the Council, such person shall incur for each offence a penalty not

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exceeding *fifty pounds*, and a further penalty not exceeding *ten pounds* for every day on which such offence shall continue after the day on which the first penalty is incurred, and the carrying out of the requirement of any such notice from the Council shall not be deemed a breach of any covenant, condition, or stipulation in any lease or agreement relating to the premises.

If owner neglect to carry out structural alterations required occupier may carry out the same.

**35.** If the owner of any place of public resort neglect or refuse to carry out the structural alterations specified in any notice from the Council under this Act it shall be lawful for the occupier to carry out the same, and the provisions of this Act with respect to the carrying out of such structural alterations by the owner shall mutatis mutandis apply where the same are carried out by the occupier, and the amount properly expended in carrying out the same shall, when certified by the superintending architect, be repayable by an annuity charged on the premises in the same manner in all respects as by this Act provided where such structural alterations have been carried out by the owner.

Council to certify completion of alterations.

34 & 35 Vict. c. 43. ss. 46, 47.

**36.**—(1.) When the required alterations have been finished the superintending architect, if the same shall be completed to his satisfaction, shall report the same to the Council, and the Council shall thereupon give a certificate of the same having been completed, which certificate shall be in duplicate, and one of the duplicates shall be delivered to the owner and the other shall be registered in a book to be kept for that purpose by the Council, and such certificate shall be conclusive evidence of the due execution of the required alterations.

(2.) The owner shall not be required to make any further alterations to the premises in respect of which such certificate has been given before the expiration of five years from the date of such certificate, provided the premises remain in the same structural condition.

Appointment of inspectors by Council.

**37.** It shall be lawful for the Council from time to time to appoint and pay by salary such persons as they think fit to be inspectors of places of public resort as defined by this Act, and all other places used for similar purposes though of lesser dimensions. Every such appointment shall be in writing under the seal of the Council, and subject to such terms and conditions as the Council may determine. Such inspectors shall be removable by the Council, and shall perform such duties as the Council shall from time to time direct.

Right to inspect at any reasonable time.

**38.** The superintending architect, or any other duly qualified surveyor appointed under seal by the Council to make inspections

under this Act, or any inspector appointed under this Act, may at any time during the times fixed for the admission or presence of the public, and at all other reasonable times, enter and inspect any place of public resort or place used for similar purposes; and if the occupier, manager, or keeper for the time being of any such place, or any person in his employment, refuses to admit such architect, surveyor, or inspector, or to afford him all reasonable assistance in such inspection, then in every such case the occupier, manager, keeper, or other person shall incur for each offence a penalty not exceeding *twenty pounds*.

41 & 42 Vict. c. 32. s. 21. 45 Vict. c. lvi. s. 45.

No alteration to be made in any theatre, music hall, or place of public resort without the consent of the Council.

**39.** No alteration in the structure of any place of public resort shall be made until the plans have been submitted to and approved by the Council, and the occupier, manager, or keeper of any place of public resort, the structure of which has been altered without the submission of plans to and their approval by the Council, shall be liable to a penalty not exceeding *fifty pounds*, and may be ordered by the Council to restore the structure of such place of public resort to its former condition or to such condition as the Council shall prescribe. If after an order by the Council the structure of such place of public resort is not restored to its former condition, or to such condition as the Council shall prescribe, or if any alteration is made in the structure of a place of public resort without the submission of plans to and the approval of the same by Council which would in the opinion of the Council increase the danger from fire or accident to the persons frequenting such place of public resort, the Council may cancel the certificate of safety granted under this Act to the owner or person keeping open such place of public resort.

The Council shall give their decision upon any plans submitted to them within six weeks of the receipt thereof, and if no such decision shall have been given within such period shall be deemed to have approved the same; but in calculating the said period of six weeks no part of the months of August or September shall be included.

Notice to be given of refusal or cancellation of certificate.

**40.**—(1.) If the Council refuse to grant a certificate of safety under this Act, or cancel any such certificate after it has been granted, the Council shall within seven days after such refusal or cancellation give notice in writing of such refusal or cancellation to the occupier, manager, or keeper of the place of public resort in respect of which such certificate has been refused or granted. Such notice shall be sufficiently given if sent by post in a registered

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letter to such place of public resort addressed to the occupier thereof.

(2.) The owner, reversioner, occupier, keeper, or manager of such place of public entertainment may within twenty-eight days from the date of the refusal or cancellation of the certificate, as the case may be, serve notice upon the Council of appeal from such refusal or cancellation, and such appeal shall be heard by an arbitrator to be appointed by the Home Secretary on the application of either party who shall hear and determine the same, and may either confirm such refusal or cancellation, or may refuse to confirm the same with or without conditions to be observed or performed by such owner, reversioner, occupier, keeper, or manager. The decision of such arbitrator shall be final and conclusive, and he shall by his award determine the persons by whom and the proportions in which the costs of such arbitration are to be paid.

In the event of the arbitrator refusing to confirm the refusal to grant the certificate the Council shall issue the same in due course.

(3.) There shall be but one appeal under this section, but all parties who have duly served notice of appeal on the Council may appear and be heard on the hearing of the appeal by the arbitrator.

Penalty of place of public entertainment kept open without certificate of safety.

41 & 42 Vict. c. 32. s. 12.

**41.** On and after the *first day of January one thousand eight hundred and ninety-three* any person keeping open any place of public resort without a certificate of safety from the Council, or after the cancellation of a certificate, except during the pendency of an appeal against the refusal to grant such certificate, or against the cancellation thereof, shall, if such place be a theatre, be liable to the same penalties as if he were keeping open such theatre without the authority of letters patent or of a license under this Act, and if such place be a place of public entertainment be liable to the same penalties as if he were keeping open such place of public entertainment without a license under this Act, and in every other case shall be liable to a penalty not exceeding *fifty pounds* for every day on which such place of public resort shall be so kept open.

Power of the Council to make regulations.

**42.** Where any place of public resort is kept open the Council may from time to time serve notice in writing upon the person by whom such place of public resort is kept open requiring him to comply with any such regulations as the Council may think expedient with respect to all or any of the matters following, that is to say—

45 Vict. c. lvi. s. 45.

(1.) The times during which the doors or any of the doors affording means of exit from any such place of public resort shall

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be kept open during the times fixed for the admission of the public to, or the presence of the public in, or the departure of the public from such place of public resort:

(2.) The conditions under which such doors, or any of such doors, may be closed during the times aforesaid, and the persons to be charged with the duty of closing and opening the same:

(3.) The nature of the fastenings to be used for the purpose of keeping such doors, or any of such doors, closed during the times aforesaid:

(4.) The notices to be posted on such place of public resort specifying the means of exit therefrom:

(5.) The provision of appliances for protection from fire, and the condition in which such appliances shall be kept and maintained:

(6.) The freedom from obstruction of all approaches, gangways, passages, and staircases:

(7.) The provision of oil lamps or candles, or separate supply of gas or artificial light, in any place of public resort, or in the gangways, passages, and staircases forming the means of approach, and of ingress and egress thereto or therefrom, for use in the event of the extinction of the gas or other means of lighting:

(8.) The maximum number of persons to be admitted at any one time to any place of public resort, or any floor, section, or division thereof:

(9.) The arrangements for seating the audience in any place of public resort.

In case any place of public resort is kept open by any person while all or any of the requirements of such notice are not complied with, such person shall be liable to a penalty not exceeding *fifty pounds* for every day on which such place of public resort is so kept open after service of such notice.

45 Vict. c. lvi. s. 45.

**43.** If any of the approaches, doors, gangways, passages, or staircases in any place of public resort are blocked or obstructed by chairs, seats, or the like while such place of public resort is open, the occupier, manager, or keeper of such place of public resort shall be liable to a penalty not exceeding *five pounds* for every day on which such approaches, doors, gangways, passages, or staircases are so blocked or obstructed, and the proceedings for the recovery of any such penalty may be taken by any person present in such place of public resort when any of the approaches, doors, gangways, passages, or staircases were so blocked or obstructed.

Penalty for blocking approaches, gangways, &c.

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Position of fixed seats in theatres or places of entertainment not to be altered without consent of Council.

**44.** No alteration shall be made in the position or plan of the fixed seats in any theatre or place of public entertainment until notice in writing has been given to the Council accompanied by a plan and written explanation of the proposed alterations, and no such place of public resort shall be opened or kept open until the written assent of the Council has been given to the alterations. Any occupier, manager, or keeper of any such place of public resort failing to comply with any of the provisions of this section shall be liable to a penalty not exceeding *fifty pounds* a day for each and every day such place of public resort is so kept open.

No license for sale of liquors, &c. until certificate issued.

**45.** From and after the *first day of January one thousand eight hundred and ninety-three* no license for the sale of any intoxicating liquors or refreshments shall take effect to any place of public resort for which a license is required under the provisions of this Act unless "a certificate of safety" under this Act has been issued by the Council and is then in force.

No openings allowed in walls of licensed premises.

**46.** No opening whatever shall be made without the consent of the Council in any party or other wall between any place of public resort and any other premises unless the whole of such several premises are in one and the same occupation, and are used for one and the same purpose under a penalty upon the occupier, keeper, or manager of such place of public resort of *fifty pounds*, and a further penalty not exceeding *ten pounds* for every day on which such opening remains, and any such openings existing at the commencement of this Act shall be immediately made good by the owner or occupier to the satisfaction of the Council under a like penalty for default.

Fees to be paid to the Council.

**47.** It shall be lawful for the Council by their clerk or other person duly authorised to demand and receive the sum or sums set out in the schedule to this Act in respect of the matters therein mentioned, and every person (other than the persons by this Act authorised) who shall demand or receive any fee in respect of the matters in the schedule mentioned, or any of them, shall for every such offence be liable to a penalty not exceeding *five pounds*.

Recovery of penalties. 41 & 42 Vict. c. 32. s. 23.

**48.** Every penalty imposed by this Act, the recovery of which is not otherwise specially provided for by this Act, may be recovered and every offence under this Act may be prosecuted in a summary manner before any court of summary jurisdiction in the manner prescribed by the Summary Jurisdiction Acts: Provided always, that in any proceedings against any person for more than one

penalty in respect of one or more breach or breaches of any provision of this Act, or of any regulation made in pursuance of this Act, it shall be lawful to include in one summons all such penalties, and the charge for such summons shall not exceed *two shillings*.

Who may proceed for recovery of penalties.

**49.** All proceedings for the recovery of penalties under this Act may be taken by the Council or any inspector appointed under this Act, or any ratepayer of the parish in which, or any superintendent of police for the district in which, the premises are situate, where or in respect of which the offence has been committed.

Application of penalties.

**50.** Every penalty imposed and recovered under this Act (except as otherwise in this Act provided) shall be paid to the Council and applied by them towards the expenses of carrying this Act into execution, notwithstanding anything contained in an Act passed in the session holden in the second and third years of the reign of Her Majesty, chapter seventy-one, or in any other Act or Acts to the contrary.

Appeal to quarter sessions.

**51.**—(1.) Any person who shall think himself aggrieved by any conviction or order under this Act of any court of summary jurisdiction may appeal therefrom to the general or quarter sessions of the peace to be holden for the county of London, whose decision shall be final and not subject to review, and the provisions of section thirty-one of the Summary Jurisdiction Act, 1879, shall apply to every such appeal.

(2.) It shall be lawful for the court of summary jurisdiction before whom the party appealing shall have entered into the recognizance required by the last-mentioned Act to summon any person whose evidence shall appear to such court to be material, and to require such person to be bound on recognizance to appear at such general or quarter sessions and to give evidence in such appeal, and in case any such person shall neglect or refuse to obey such summons or to enter into such recognizance, the court may issue a warrant for the apprehension of such person, and if such person shall continue to refuse to enter into such recognizance the court may commit him to the house of correction, there to remain till he shall enter into such recognizance or be otherwise discharged by due course of law.

Commencement of proceedings.

**52.** No proceedings under this Act shall be taken against any person unless the same shall be commenced within the space of six calendar months after the offence was committed.

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Rules as to service of notices and orders.

**53.** The following rules shall be observed with respect to the giving or service of any notice or order under this Act:—

(1.) A notice or order may in all cases be served personally.

(2.) A notice or order may be served on the owner, occupier, keeper, or manager of any premises by leaving the same with the occupier of such premises or with some inmate of his abode, or if there is no occupier by putting up such notice or order on a conspicuous part of the premises to which the same relates, and it shall not be necessary to name the owner, occupier, keeper, or manager of such premises. Nevertheless when the owner of any such premises and his residence or that of his agent are known to the Council it shall be the duty of the Council to send every notice or order intended for the owner by post in a registered letter addressed to the residence or last known residence of such owner or his agent.

(3.) A notice or order may be served on the Council by leaving the same at the office of the Council addressed to their clerk.

Power to make rules and regulations.

**54.** The Council may from time to time make rules and regulations for the purposes in this Act mentioned, and generally for the purpose of the execution of the provisions of this Act, and from time to time rescind and alter such rules and regulations, or any of them; and a printed copy of any such rules and regulations dated and sealed with the seal of the Council shall be sufficient evidence in all proceedings of the existence and due making of such rules and regulations without adducing proof of such seal or of the fact of such making.

Commencement of Act.

**55.** This Act shall come into operation on the *first day of November one thousand eight hundred and ninety-one:* Provided that at any time after the *passing of this Act* any rules and regulations hereunder may be made, but such rules or regulations shall only take effect upon the commencement of this Act.

Repeal of Acts.

**56.** The Acts mentioned in the Second Schedule to this Act shall be repealed as from the commencement of this Act to the extent in the third column of that schedule mentioned.

Cost of Act.

**57.** Any costs, charges, and expenses incurred by the Council of and incidental to the preparing, applying for, and passing of this Act shall be paid by the Council out of the county rate.

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# SCHEDULES.

## FIRST SCHEDULE.

| | £ | *s.* | *d.* | |
|---|---|---|---|---|
| On every application for a license for a theatre or other place of entertainment - - - - - - - | *0* | *5* | *0* | |
| On the hearing of every opposed application for a license for a theatre or other place of entertainment where the premises are capable of holding for the purposes for which the license is granted not more than 500 persons - - - - | *1* | *0* | *0* | |
| „ „ 1,000 „ - - - - | *2* | *0* | *0* | |
| „ „ 1,500 „ - - - - | *3* | *0* | *0* | |
| „ „ 2,000 „ - - - - | *4* | *0* | *0* | |
| „ „ 2,500 „ - - - - | *5* | *0* | *0* | |
| „ „ 3,000 „ - - - - | *6* | *0* | *0* | |
| „ „ 3,500 „ - - - - | *7* | *0* | *0* | |
| „ „ 4,000 „ - - - - | *8* | *0* | *0* | |
| „ „ 4,500 „ - - - - | *9* | *0* | *0* | |
| „ „ 5,000 „ - - - - | *10* | *0* | *0* | |
| And for every additional one thousand persons or fraction thereof over five thousand a further sum of 1*l.* | | | | |
| For every license granted by the Lord Chamberlain for the performance of stage plays for each calendar month or less period the performance is continued - - - - - | *0* | *10* | *0* | 6 & 7 Vict. c. 68. s. 4. |
| For every license granted to any place for music or dancing or for both purposes for each calendar month or less period that such place is kept open for the purposes aforesaid for every 100 persons the premises are capable of holding for the purposes for which the license is granted a fee of - - - | *0* | *4* | *0* | |
| For each license under section 25 any sum not exceeding - | *1* | *0* | *0* | |
| For every sealed copy of the regulations under section 27 (3) - | *0* | *2* | *6* | |
| For the examination of every play, prologue, epilogue, or parts thereof under section 19 any sum not exceeding - - | *2* | *2* | *0* | |
| For registration of the certificate of completion under section 36 | *0* | *5* | *0* | 6 & 7 Vict. c. 68. s. 13. |
| For preparing and making the necessary plans of any theatre or other place of entertainment, for each sheet of plans - - | *1* | *1* | *0* | |

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## SECOND SCHEDULE.

| Session and Chapter. | Title. | Extent of Repeal. |
|---|---|---|
| 25 Geo. 2. c. 36. - | An Act for the better preventing thefts and robberies, and for regulating places of public entertainment, and punishing persons keeping disorderly houses. | Sections 2 and 3 so far as they relate to the county of London. |
| 2 & 3 Vict. c. 47. - | An Act for further empowering the police in and near the metropolis. | Section 46 so far as it relates to the county of London. |
| 6 & 7 Vict. c. 68. - | An Act for regulating theatres | The whole Act so far as it relates to the county of London. |
| 38 Vict. c. 21. - | The Public Entertainments Act, 1875. | The whole Act so far as it relates to the county of London. |
| 41 & 42 Vict. c. 32. | The Metropolis Management and Building Acts Amendment Act, 1878. | Sections 11 and 12. |
| 45 Vict. c. lvi. - | The Metropolitan Board of Works (Various Powers) Act, 1882. | Section 45. |

# Theatres, &c. (London).

A

# B I L L

To provide for the control and regulation of Theatres, Music Halls, and places of Public Entertainment in the administrative county of London, and for other purposes.

(*Prepared and brought in by Sir John Lubbock and Earl Compton.*)

*Ordered, by* The House of Commons, *to be Printed*, 26 *November* 1890.

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[Bill 106.]

# Tithe Rentcharge Recovery Bill.

## ARRANGEMENT OF CLAUSES.

Clause.


1. Liability of owner to pay tithe rentcharge, and modification of contracts with tenants.
2. Recovery of tithe rentcharge through county court.
3. Remission of tithe rentcharge when exceeding two-thirds annual value of land.
4. Definitions.
5. Commencement and application of Act, and saving.
6. Extent of Act and short titles.

A

# B I L L

TO

Make better provision for the Recovery of Tithe Rentcharge in England and Wales. A.D. 1890.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Liability of owner to pay tithe rentcharge, and modification of contracts with tenants.

**1.**—(1.) Tithe rentcharge as defined by this Act issuing out of any lands shall be payable by the owner of the lands, notwithstanding any contract to the contrary between him and the occupier of such lands.

(2.) Where the occupier is liable under any contract made before the *passing of this Act* to pay the tithe rentcharge, then he shall cease to be bound by that part of his contract, but in respect of the period during which his tenancy under such contract subsists, he shall, unless it is otherwise agreed between him and the owner of the lands, owe to the owner, such sum as the owner has paid on account of that tithe rentcharge, exclusive of any costs incurred or paid by the owner in respect of such tithe rentcharge.

(3.) Such sum shall be recoverable from the occupier by distress in like manner as is provided by the Tithe Acts with respect to arrears of tithe rentcharge, and not otherwise.

(4.) Where the occupier of any lands on the demand of the overseers or other rating authority makes any payment on account of rates to which tithe rentcharge is liable, he shall be entitled to deduct the amount of such payment from his rent, or from the sum payable to the owner of the lands under this section, and the owner shall be entitled to deduct the amount from the tithe rentcharge payable by him.

Recovery of tithe rentcharge through county court.

**2.**—(1.) Where any sum due on account of tithe rentcharge issuing out of any lands is in arrear for not less than *three months*, the person entitled to such sum may, whatever is the amount, apply to

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the county court of the district in which the lands or any part thereof are situate, and the county court, after such service on and hearing of the owner, as may be prescribed, may order that the said sum, or such part thereof as appears to the court to be due, be recovered in manner provided by this Act, and tithe rentcharge as defined by this Act shall not be recovered in any other manner.

(2.) Where it is shown to the court that the lands are occupied by the owner thereof, the order shall be executed by the appointment by the court of an officer who, subject to the direction of the court, shall have the like powers for the recovery of the sum ordered to be paid as are conferred by the Tithe Acts on the owner of a tithe rentcharge for the recovery of arrears of tithe rentcharge.

(3.) In any other case the order shall be executed by the appointment by the court of a receiver of the rents and profits of the lands, and, unless the court otherwise directs, on the ground that it is unnecessary for recovering the rents and profits of such lands, also of the rents and profits of any other lands of the same owner, which are occupied by the same occupier together with those lands; and subject to the prescribed regulations, the county court shall have the same powers for the purposes of this Act as in any other case where the court can appoint a receiver, and may confer on the person appointed receiver any powers which the court can confer in any such case, but the court shall not have power to order the sale of the lands.

(4.) Any sum ordered by the court under this section to be recovered shall be payable by a trustee in bankruptcy, sheriff, or officer of a court who is in possession of the lands, in like manner as if it were tithe rentcharge recoverable under the Tithe Acts.

(5.) Where the occupier of the lands out of which the tithe rentcharge issues is liable under any contract made before the *passing of this Act* to pay the tithe rentcharge, and is consequently liable by virtue of this Act to pay the amount thereof to the owner of the lands, he may serve notice of such liability on the owner of the tithe rentcharge, and thereupon before an order under this section is made, there shall be such service on and hearing of the occupier in addition to the owner as may be prescribed.

(6.) Rules of court may regulate the procedure practice and costs under this Act in county courts, and may direct what service shall be good service for the purposes of this Act on the owner of any lands or tithe rentcharge, and may provide that if the owner of

any lands is not known, any proceeding under this Act may be taken against the owner of the lands without naming the person who is the owner.

Remission of tithe rentcharge when exceeding two-thirds annual value of land.

**3.**—(1.) Where a sum is claimed on account of tithe rentcharge issuing out of any lands, and the county court is satisfied, that if the sum claimed is paid, the total amount paid on account of the tithe rentcharge for the period of *twelve months* next preceding the day on which the sum claimed became payable, will exceed *two-thirds* of the annual value of the lands as ascertained and entered in the assessment for the purpose of Schedule B to the Income Tax Act, 1853, or as certified as herein-after mentioned, the court shall order the remission of so much, whether the whole or part of the sum claimed, as is equal to the excess, and the amount so ordered to be remitted shall not be recoverable.

(2.) Where the lands out of which any tithe rentcharge issues are assessed for the purposes of the said Schedule B together with other lands, the surveyor of taxes for the parish in which the lands are so assessed, on the application of the owner or occupier of the lands, shall divide the annual value in such assessment between the lands out of which any tithe rentcharge issues and the other lands, and give notice of the annual value of the lands as determined on such division to the applicant and to the owner of the tithe rentcharge; and if either of them is dissatisfied with the annual value so determined, he may appeal to the general commissioners of income tax for the division in which the lands are assessed, and those commissioners, after due notice to and hearing the parties or their agents if any of them wishes to be so heard, shall finally determine the proper division of the annual value; and the annual value of lands so determined as aforesaid shall, for the purposes of this section, be the annual value of the lands as ascertained for the purpose of the said Schedule B.

(3.) If in any case the annual value of any lands is not ascertained and entered in the assessment for the purpose of the said Schedule B., the general commissioners of income tax for the division in which the lands are situate shall, on the application of the owner or occupier of the lands, ascertain the annual value of the lands for the purpose of the said Schedule B., and inform the applicant of the same.

(4.) Any clerk to the commissioners of taxes shall on demand and payment of *one shilling* give a certificate of the amount of the annual value of any lands under this section.

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(5.) Where a special apportionment has been made in pursuance of section fifty-eight of the Tithe Act, 1836, whereby tithe rentcharge has been charged specially upon certain closes of land in different proportions, and to the exclusion of certain of them, the court shall not grant a remission under this section unless satisfied that the applicant would have been entitled to such remission if no such special apportionment had been made.

(6.) Where two or more tithe rentcharges issue out of the same lands, and a remission of tithe rentcharge has been made by a county court under this section, the amount paid by the owner of the lands on account of tithe rentcharge shall be divided between the owners of such tithe rentcharges in proportion to the amount thereof as fixed by the apportionment or any altered apportionment.

(7.) This section shall not apply to any lands used or laid out for the purpose of building.

Definitions.

**4.**—(1.) A reference in this Act to the "owner" of lands or tithe rentcharge,—

(*a*) if the lands or rentcharge belong to the Queen in right of Her Crown, means the Commissioners of Woods; and

(*b*) if the lands or rentcharge belong to the Duchy of Cornwall, means the keeper of the records of the Duchy of Cornwall; and

See 6 & 7 Will. 4. c. 71. ss. 12, 13.

(*c*) in any other case means the same officers or persons as are mentioned in the Tithe Act, 1836.

(2.) In this Act, unless the context otherwise requires,—

The expression "tithe rentcharge" means tithe rentcharge issuing out of lands and payable in pursuance of the Tithe Acts, and includes any rentcharge into which a corn rent has been converted under the Tithe Act, 1860, and which is subject to the like incidents as such tithe rentcharge as aforesaid; but does not include a rentcharge payable under the Extraordinary Tithe Redemption Act, 1886, nor a rentcharge payable under the Tithe Act, 1860, in respect of the tithes on any gated or stinted pasture, nor a sum or rate payable for each head of cattle or stock turned on land subject to common rights or held or enjoyed in common.

23 & 24 Vict. c. 93.

49 & 50 Vict. c. 54.

23 & 24 Vict. c. 93.

The expression "prescribed" means prescribed by county court rules under this Act.

Commencement and application of Act and saving.

**5.**—(1.) This Act shall extend to every sum on account of tithe rentcharge which first becomes payable on or after the half-yearly day of payment of such tithe rentcharge which occurs next after the *passing of this Act*, whether such sum accrued before or after

that day, and shall not extend to sums due on account of tithe rentcharge which were in arrear before the passing of this Act, nor to tithe rentcharge issuing out of the land of a railway company.

(2.) A sum on account of tithe rentcharge shall not be recoverable under this Act unless proceedings for such recovery have been commenced before the expiration of *two years* from the date at which it became payable.

(3.) Nothing in this Act shall alter the priority of any tithe rentcharge in relation to any other charge or incumbrance upon any lands.

(4.) Any enactment in the Tithe Acts or in the Extraordinary Tithe Redemption Act, 1886, directing any expenses, rentcharge, or other sums to be recovered as tithe rentcharge, shall be construed to refer to the recovery of tithe rentcharge under this Act, save that the owner of the lands shall not be entitled to obtain any remission under this Act.

Extent of Act and short titles.

**6.**—(1.) This Act shall not extend to Scotland or Ireland.

(2.) This Act may be cited as the Tithe Act, 1891.

(3.) The Act of the session of the sixth and seventh years of the reign of King William the Fourth, chapter seventy-one, intituled "An Act for the commutation of tithes in England and Wales," is in this Act referred to and may be cited as the Tithe Act, 1836, and that Act and the enactments amending the same passed before the passing of this Act are in this Act referred to and may be cited as the Tithe Acts.

(4.) The Act of the session of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter ninety-three, intituled "An Act to amend and further extend the Acts for the "commutation of tithes in England and Wales," is in this Act referred to and may be cited as the Tithe Act, 1860.

(5.) The Act of the session of the sixteenth and seventeenth years of the reign of Her present Majesty, chapter thirty-four, intituled "An Act for granting to Her Majesty duties on profits "arising from property, professions, trades, and offices," is in this Act referred to and may be cited as the Income Tax Act, 1853.

# Tithe Rentcharge Recovery.

A

# B I L L

To make better provision for the Recovery of Tithe Rentcharge in England and Wales.

(*Prepared and brought in by Sir Michael Hicks Beach, Mr. Attorney General, Mr. Chaplin, and Mr. Raikes.*)

*Ordered, by* The House of Commons, *to be Printed* 27 *November* 1890.

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[Bill 110.]

[To be substituted for Bill previously delivered.]

# Tithe Rentcharge Recovery Bill.

[AS AMENDED IN COMMITTEE.]

## ARRANGEMENT OF CLAUSES.

Clause.


1. Liability of owner to pay tithe rentcharge, and modification of contracts with tenants.
2. Recovery of tithe rentcharge through county court. Exclusion of personal liability and imprisonment. Rules to be laid before Parliament, and may be annulled on address from either House.
3. Remission of tithe rentcharge when exceeding two-thirds annual value of land.
4. Power of appeal.
5. Definitions.
6. Commencement and application of Act, and saving.
7. Extent of Act and short titles.

A

# B I L L

[AS AMENDED IN COMMITTEE]

TO

Make better provision for the Recovery of Tithe Rentcharge in England and Wales. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Liability of owner to pay tithe rentcharge, and modification of contracts with tenants.

**1.**—(1.) Tithe rentcharge as defined by this Act issuing out of any lands shall be payable by the owner of the lands, notwithstanding any contract to the contrary between him and the occupier of such lands.

(2.) Where the occupier is liable under any contract made before the passing of this Act to pay the tithe rentcharge, then he shall cease to be bound by that part of his contract, but in respect of the period during which his tenancy under such contract subsists, he shall be liable to pay to the owner such sum as the owner has properly paid on account of that tithe rentcharge, exclusive of any costs incurred or paid by the owner in respect of such tithe rentcharge.

(3.) Such sum shall be recoverable from the occupier by distress in like manner as is provided by the Tithe Acts with respect to arrears of tithe rentcharge, and not otherwise.

(4.) Where the occupier of any lands on the demand of the overseers or other rating authority makes any payment on account of rates to which tithe rentcharge is liable, he shall be entitled to deduct the amount of such payment from his rent, or from the sum payable to the owner of the lands under this section, and the owner shall be entitled to deduct the amount from the tithe rentcharge payable by him.

Recovery of tithe rentcharge through county court.

**2.**—(1.) Where any sum due on account of tithe rentcharge issuing out of any lands is in arrear for not less than three months, the person entitled to such sum may, whatever is the amount, apply to

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the county court of the district in which the lands or any part thereof are situate, and the county court, after such service on and hearing of the owner, as may be prescribed, may order that the said sum, or such part thereof as appears to the court to be due, be recovered in manner provided by this Act, and tithe rentcharge as defined by this Act shall not be recovered in any other manner.

(2.) Where it is shown to the court that the lands are occupied by the owner thereof, the order shall be executed by the appointment by the court of an officer who, subject to the direction of the court, shall have the like powers for the recovery of the sum ordered to be paid as are conferred by the Tithe Acts on the owner of a tithe rentcharge for the recovery of arrears of tithe rentcharge, and no greater or other powers.

(3.) In any other case the order shall be executed by the appointment by the court of a receiver of the rents and profits of the lands, and of any other lands which would be liable to be distrained upon for the tithe rentcharge to which the order refers under the provisions of section eighty-five of the Tithe Act, 1836, and, subject to the prescribed regulations, the county court shall have the same powers in respect of receivers and may confer on the person appointed receiver any powers which the court can confer upon receivers, but the court shall not have power to order the sale of the lands.

(4.) Any sum ordered by the court under this section to be recovered shall be payable by a trustee in bankruptcy, sheriff, or officer of a court who is in possession of the lands, in like manner as if it were tithe rentcharge recoverable under the Tithe Acts.

(5.) Where the occupier of the lands out of which the tithe rentcharge issues is liable under any contract made before the passing of this Act to pay the tithe rentcharge, and is consequently liable by virtue of this Act to pay the amount thereof to the owner of the lands, the owner of the lands shall serve notice of such liability on the owner of the tithe rentcharge, and thereupon, before an order under this section is made, there shall be such service on and hearing of the occupier in addition to the owner as may be prescribed.

(6.) Rules of court may regulate the procedure practice and costs under this Act in county courts, and may direct what service shall be good service for the purposes of this Act on the owner of any lands or tithe rentcharge, and may provide that if the owner of

any lands is not known, any proceeding under this Act may be taken against the owner of the lands without naming the person who is the owner.

Exclusion of personal liability and imprisonment.

(7.) Nothing in this Act shall impose or constitute any personal liability upon any occupier or owner of lands for the payment of any tithe rentcharge, or any other sum recoverable or payable under this Act, and the court shall not, by virtue of this Act, have any power to imprison any such occupier or owner by reason only of the nonpayment of such tithe rentcharge or other sum.

Rules to be laid before Parliament, and may be annulled on address from either House.

(8.) Every rule of court made for the purpose of this Act shall be laid before each House of Parliament within forty days next after it is made, if Parliament is then sitting, or, if not, within forty days after the commencement of the then next ensuing session, and if an address is presented to Her Majesty by either House of Parliament within the next subsequent forty days on which the said House shall have sat, praying that any such rule may be annulled, Her Majesty may thereupon, by Order in Council, annul the same; and the rule so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the same.

Remission of tithe rentcharge when exceeding two-thirds annual value of land.

**3.**—(1.) Where a sum is claimed on account of tithe rentcharge issuing out of any lands, and the county court is satisfied, that if the sum claimed is paid, the total amount paid on account of the tithe rentcharge for the period of twelve months next preceding the day on which the sum claimed became payable, will exceed two-thirds of the annual value of the lands as ascertained and entered in the assessment for the purpose of Schedule B. to the Income Tax Act, 1853, or as certified as herein-after mentioned, the court shall order the remission of so much, whether the whole or part of the sum claimed, as is equal to the excess, and the amount so ordered to be remitted shall not be recoverable.

(2.) Where the lands out of which any tithe rentcharge issues are assessed for the purposes of the said Schedule B. together with other lands, the surveyor of taxes for the parish in which the lands are so assessed, on the application of the owner or occupier of the lands, shall divide the annual value in such assessment between the lands out of which any tithe rentcharge issues and the other lands, and give notice of the annual value of the lands as determined on such division to the applicant and to the owner of the tithe rentcharge; and if either of them is dissatisfied with the annual value so determined, he may appeal to the general commissioners

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of income tax for the division in which the lands are assessed, and those commissioners, after due notice to and hearing the parties or their agents if any of them wishes to be so heard, shall finally determine the proper division of the annual value; and the annual value of lands so determined as aforesaid shall, for the purposes of this section, be the annual value of the lands as ascertained for the purpose of the said Schedule B.

(3.) If in any case the annual value of any lands is not ascertained and entered in the assessment for the purpose of the said Schedule B., the general commissioners of income tax for the division in which the lands are situate shall, on the application of the owner or occupier of the lands, ascertain the annual value of the lands for the purpose of the said Schedule B., and inform the applicant of the same.

(4.) Any clerk to the commissioners of taxes shall on demand and payment of one shilling give a certificate of the amount of the annual value of any lands under this section.

(5.) Where two or more tithe rentcharges issue out of the same lands, and a remission of tithe rentcharge has been made by a county court under this section, the amount paid by the owner of the lands on account of tithe rentcharge shall be divided between the owners of such tithe rentcharges in proportion to the amount thereof as fixed by the apportionment or any altered apportionment.

(6.) This section shall not apply to any lands other than those used solely for agricultural or pastoral purposes or for the growth of timber or underwood.

Power of appeal.

**4.** If any party in any action or matter under this Act shall be dissatisfied with the determination or direction of the judge of the county court in point of law or equity, or upon the admission or rejection of any evidence, the party aggrieved by the judgment, direction, decision, or order of the judge may appeal from the same to the High Court, in such manner and subject to such conditions as may be for the time being provided by the rules of the Supreme Court regulating the procedure on appeals from inferior courts to the High Court.

Definitions.

**5.**—(1.) A reference in this Act to the "owner" of lands or tithe rentcharge,—

(*a*) if the ownership of the lands or rentcharge is vested in the Queen in right of Her Crown, means the Commissioners of Woods, in substitution for the Queen; and

(*b*) if the ownership of the lands or rentcharge is vested in the Duke of Cornwall, means the keeper of the records of the

Duchy of Cornwall, in substitution for the Duke of Cornwall; and

(*c*) in any other case means the same officers or persons as are mentioned in the Tithe Act, 1836.

See 6 & 7 Will. 4. c. 71. ss. 12, 13.

(2.) In this Act, unless the context otherwise requires,—

The expression "tithe rentcharge" means tithe rentcharge issuing out of lands and payable in pursuance of the Tithe Acts, and includes any rentcharge into which a corn rent has been, either before or after the passing of this Act, converted under the Tithe Act, 1860, and which is subject to the like incidents as such tithe rentcharge as aforesaid; but does not include a rentcharge payable under the Extraordinary Tithe Redemption Act, 1886, nor a rentcharge payable under the Tithe Act, 1860, in respect of the tithes on any gated or stinted pasture, nor a sum or rate payable for each head of cattle or stock turned on land subject to common rights or held or enjoyed in common.

23 & 24 Vict. c. 93.

49 & 50 Vict. c. 54.

23 & 24 Vict. c. 93.

The expression "prescribed" means prescribed by county court rules under this Act.

Commencement and application of Act and saving.

**6.**—(1.) This Act shall extend to every sum on account of tithe rentcharge which first becomes payable on or after the half-yearly day of payment of such tithe rentcharge which occurs next after the passing of this Act, whether such sum accrued before or after that day, and shall not extend to sums due on account of tithe rentcharge which were in arrear before the passing of this Act, nor to tithe rentcharge issuing out of the land of a railway company.

(2.) A sum on account of tithe rentcharge shall not be recoverable under this Act unless proceedings for such recovery have been commenced before the expiration of two years from the date at which it became payable.

(3.) Nothing in this Act shall alter the priority of any tithe rentcharge in relation to any other charge or incumbrance upon any lands.

(4.) Any enactment in the Tithe Acts or in the Extraordinary Tithe Redemption Act, 1886, directing any expenses, rentcharge, or other sums to be recovered as tithe rentcharge, shall, as respects any sum becoming due after the passing of this Act, be construed to refer to the recovery of tithe rentcharge under this Act, save that the owner of the lands shall not be entitled to obtain any remission under this Act.

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Extent of Act and short titles.

**7.**—(1.) This Act shall not extend to Scotland or Ireland.

(2.) This Act may be cited as the Tithe Act, 1891.

(3.) The Act of the session of the sixth and seventh years of the reign of King William the Fourth, chapter seventy-one, intituled "An Act for the commutation of tithes in England and Wales," is in this Act referred to and may be cited as the Tithe Act, 1836, and that Act and the enactments amending the same passed before the passing of this Act are in this Act referred to and may be cited as the Tithe Acts.

(4.) The Act of the session of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter ninety-three, intituled "An Act to amend and further extend the Acts for the "commutation of tithes in England and Wales," is in this Act referred to and may be cited as the Tithe Act, 1860.

(5.) The Act of the session of the sixteenth and seventeenth years of the reign of Her present Majesty, chapter thirty-four, intituled "An Act for granting to Her Majesty duties on profits "arising from property, professions, trades, and offices," is in this Act referred to and may be cited as the Income Tax Act, 1853.

# Tithe Rentcharge Recovery.

A

# B I L L

[AS AMENDED IN COMMITTEE]

To make better provision for the Recovery of Tithe Rentcharge in England and Wales.

(*Prepared and brought in by Sir Michael Hicks Beach, Mr. Attorney General, Mr. Chaplin, and Mr. Raikes.*)

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[Bill 184.] +–

# Tithe Rentcharge Recovery Bill.

[AS AMENDED IN COMMITTEE AND ON CONSIDERATION.]

## ARRANGEMENT OF CLAUSES.


Clause.

1. Liability of owner to pay tithe rentcharge, and modification of contracts with tenants.
2. Recovery of tithe rentcharge through county court. Exclusion of personal liability and imprisonment. Rules to be laid before Parliament, and may be annulled on address from either House.
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SCHEDULE.

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Liability of owner to pay tithe rentcharge, and modification of contracts with tenants.

**1.**—(1.) Tithe rentcharge as defined by this Act issuing out of any lands shall be payable by the owner of the lands, notwithstanding any contract to the contrary between him and the occupier of such lands.

(2.) Where the occupier is liable under any contract made before the passing of this Act to pay the tithe rentcharge, then he shall cease to be bound by that part of his contract, but in respect of the period during which his tenancy under such contract subsists, he shall be liable to pay to the owner such sum as the owner has properly paid on account of that tithe rentcharge, exclusive of any costs incurred or paid by the owner in respect of such tithe rentcharge: Provided that where the lands, out of which any tithe rentcharge issues, are occupied by several occupiers who have contracted to pay the tithe rentcharge, any of such occupiers shall be liable only to pay such proportion of the sum paid by the owner of the lands on account of such tithe rentcharge as the rateable value of the lands occupied by him bears to the rateable value of the whole of the lands occupied by such occupiers, and every receipt given for such sum shall state expressly that the sum is paid in respect of that tithe rentcharge.

(3.) Such sum shall be recoverable from the occupier by distress in like manner as is provided by the Tithe Acts with respect to arrears of tithe rentcharge, and not otherwise : Provided that where the tenancy of an occupier who is liable under a contract made before the passing of this Act to pay the tithe rentcharge is

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at any time hereafter about to determine, the owner of the lands may at any time during the last three months of the tenancy pay any instalment of the tithe rentcharge that such occupier would but for this Act have been liable under his contract to pay, and may, notwithstanding such instalment not being yet due, recover the same from the occupier in manner as in this Act provided.

Recovery of tithe rentcharge through county court.

**2.**—(1.) Where any sum due on account of tithe rentcharge issuing out of any lands is in arrear for not less than three months, the person entitled to such sum may, whatever is the amount, apply to the county court of the district in which the lands or any part thereof are situate, and the county court, after such service on and hearing of the owner, as may be prescribed, may order that the said sum, or such part thereof as appears to the court to be due, be, together with the costs, recovered in manner provided by this Act, and tithe rentcharge as defined by this Act shall not be recovered in any other manner.

(2.) Where it is shown to the court that the lands are occupied by the owner thereof, the order shall be executed by the appointment by the court of an officer who, subject to the direction of the court, shall have the like powers of distraint for the recovery of the sum ordered to be paid as are conferred by the Tithe Acts on the owner of a tithe rentcharge for the recovery of arrears of tithe rentcharge, and no greater or other powers.

(3.) In any other case the order shall be executed by the appointment by the court of a receiver of the rents and profits of the lands, and of any other lands which would be liable to be distrained upon for the tithe rentcharge to which the order refers under the provisions of section eighty-five of the Tithe Act, 1836, and, subject to the prescribed regulations, the county court shall have the same powers over receivers as in any other case, and may confer on the person appointed receiver any powers which the court can confer upon persons appointed receivers, but the court shall not have power to order the sale of the lands.

(4.) Any sum ordered by the court under this section to be recovered shall be payable by a trustee in bankruptcy, sheriff, or officer of a court who is in possession of the lands, in like manner as if it were tithe rentcharge recoverable under the Tithe Acts.

(5.) Where the occupier of the lands out of which the tithe rentcharge issues is liable under any contract made before the passing of this Act to pay the tithe rentcharge, and is consequently liable by virtue of this Act to pay the amount thereof to the owner of the lands, the owner of the lands shall serve notice of such

liability on the owner of the tithe rentcharge, and thereupon, before an order under this section is made, there shall be such service on and hearing of the occupier in addition to the owner as may be prescribed.

(6.) Rules of court may regulate the procedure practice and costs under this Act in county courts, and may direct what service shall be good service for the purposes of this Act on the owner of any lands or tithe rentcharge, and may provide that if the owner of any lands is not known, any proceeding under this Act may be taken against the owner of the lands without naming the person who is the owner. The fees payable on the proceedings in a county court under this Act shall not exceed those set forth in the schedule to this Act, and the fees, charges, and expenses in or incidental to any distress under this Act shall be the same as are for the time being payable under the Law of Distress Amendment Act, 1888. 51 & 52 Vict. c. 43.

Exclusion of personal liability and imprisonment.

(7.) Nothing in this Act shall impose or constitute any personal liability upon any occupier or owner of lands for the payment of any tithe rentcharge, or any other sum recoverable or payable under this Act, and the court shall not, by virtue of this Act, or of the County Courts Act, 1888, have any power to imprison any such occupier or owner by reason only of the nonpayment of such tithe rentcharge or other sum, and shall in any other case have no other or greater powers of fine or imprisonment than are conferred by the County Courts Act, 1888.

Rules to be laid before Parliament, and may be annulled on address from either House.

(8.) Every rule of court made for the purpose of this Act shall be laid before each House of Parliament within forty days next after it is made, if Parliament is then sitting, or, if not, within forty days after the commencement of the then next ensuing session, and if an address is presented to Her Majesty by either House of Parliament within the next subsequent forty days on which the said House shall have sat, praying that any such rule may be annulled, Her Majesty may thereupon, by Order in Council, annul the same; and the rule so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the same.

Rating of owner of tithe rentcharge.

**3.**—(1.) Any rate to which tithe rentcharge is subject shall be assessed on and may be recovered from the owner of the tithe rentcharge, in the like manner and by the like process as on and from any other occupying ratepayer; and so much of any Act as authorises any rate on tithe rentcharge to be assessed on or

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recovered from the occupier of any lands out of which the tithe rentcharge issues is hereby repealed.

(2.) If the collector of the rate satisfies the county court that he is unable to recover in manner aforesaid any rate assessed on the owner of any tithe rentcharge, the court may, after such service on and hearing of the owners of the tithe rentcharge, and of the lands out of which the tithe rentcharge issues, as may be prescribed, order the owner of the lands to pay such tithe rentcharge to the collector until the amount of the rate, and any costs allowed by the court, are fully paid; and the order may be executed as if it were an order under this Act for the payment of a sum due on account of the tithe rentcharge.

(3.) The court may, if satisfied that the circumstances justify it, make such order as aforesaid in respect of any future rate, either generally or during the time limited by the order.

(4.) The expression "rate" in this section means a poor rate, highway rate, general district rate, borough rate, and every other rate assessed on tithe rentcharge by a public authority for public purposes; and the expression "collector" means the overseer, surveyor of highways, rate-collector, or other person authorised, for the time being, to collect the rate.

Power of appeal.

**4.** If any party in any action or matter under this Act shall be dissatisfied with the determination or direction of the judge of the county court in point of law or equity, or upon the admission or rejection of any evidence, the party aggrieved by the judgment, direction, decision, or order of the judge may appeal from the same to the High Court, in such manner and subject to such conditions as may be for the time being provided by the rules of the Supreme Court regulating the procedure on appeals from inferior courts to the High Court.

Remission of tithe rentcharge when exceeding two-thirds annual value of land.

**5.**—(1.) Where a sum is claimed on account of tithe rentcharge issuing out of any lands, and the county court is satisfied, that if the sum claimed is paid, the total amount paid on account of the tithe rentcharge for the period of twelve months next preceding the day on which the sum claimed became payable, will exceed two-thirds of the annual value of the lands as ascertained and entered in the assessment for the purpose of Schedule B. to the Income Tax Act, 1853, or as certified as herein-after mentioned, the court shall order the remission of so much, whether the whole or part of the sum claimed, as is equal to the excess, and the amount so ordered to be remitted shall not be recoverable.

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(2.) Where the lands out of which any tithe rentcharge issues are assessed for the purposes of the said Schedule B. together with other lands, the surveyor of taxes for the parish in which the lands are so assessed, on the application of the owner or occupier of the lands, shall divide the annual value in such assessment between the lands out of which any tithe rentcharge issues and the other lands, and give notice of the annual value of the lands as determined on such division to the applicant and to the owner of the tithe rentcharge; and if either of them is dissatisfied with the annual value so determined, he may appeal to the general commissioners of income tax for the division in which the lands are assessed, and those commissioners, after due notice to and hearing the parties or their agents if any of them wishes to be so heard, shall finally determine the proper division of the annual value; and the annual value of lands so determined as aforesaid shall, for the purposes of this section, be the annual value of the lands as ascertained for the purpose of the said Schedule B. For the purposes of this section the owner of tithe rentcharge shall have the same right of appeal as the owner of lands, whether under the enactments relating to the said assessment or under this section.

(3.) If in any case the annual value of any lands is not ascertained and entered in the assessment for the purpose of the said Schedule B., the general commissioners of income tax for the division in which the lands are situate shall, on the application of the owner or occupier of the lands, ascertain the annual value of the lands for the purpose of the said Schedule B., and inform the applicant of the same.

(4.) Any clerk to the commissioners of taxes shall on demand and payment of one shilling give a certificate of the amount of the annual value of any lands under this section.

(5.) Where it appears from any award that a special apportionment has been made in pursuance of section fifty-eight of the Tithe Act, 1836, whereby tithe rentcharge has been charged specially upon certain closes of land in different proportions, and to the exclusion of certain of them, the court shall not grant a remission under this section unless satisfied that the applicant would have been entitled to such remission if no such special apportionment had been made.

(6.) Where two or more tithe rentcharges issue out of the same lands, and a remission of tithe rentcharge has been made by a county court under this section, the amount paid by the owner of the lands on account of tithe rentcharge shall be divided between

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the owners of such tithe rentcharges in proportion to the amount thereof as fixed by the apportionment or any altered apportionment.

(7.) This section shall not apply to any lands other than those used solely for agricultural or pastoral purposes or for the growth of timber or underwood.

Definitions.

**6.**—(1.) A reference in this Act to the "owner" of lands or tithe rentcharge,—

(*a*) if the ownership of the lands or rentcharge is vested in the Queen in right of Her Crown, means the Commissioners of Woods, in substitution for the Queen; and

(*b*) if the ownership of the lands or rentcharge is vested in the Duke of Cornwall, means the keeper of the records of the Duchy of Cornwall, in substitution for the Duke of Cornwall; and

See 6 & 7 Will. 4. c. 71. ss. 12, 13.

(*c*) in any other case means the same officers or persons as are mentioned in the Tithe Act, 1836.

(2.) In this Act, unless the context otherwise requires,—

The expression "tithe rentcharge" means tithe rentcharge issuing out of lands and payable in pursuance of the Tithe Acts, and includes any rentcharge into which a corn rent has been, either before or after the passing of this Act, converted under the Tithe Act, 1860, and which is subject to the like incidents as such tithe rentcharge as aforesaid; but does not include a rentcharge payable under the Extraordinary Tithe Redemption Act, 1886, nor a rentcharge payable under the Tithe Act, 1860, in respect of the tithes on any gated or stinted pasture, nor a sum or rate payable for each head of cattle or stock turned on land subject to common rights or held or enjoyed in common.

23 & 24 Vict. c. 93.

49 & 50 Vict. c. 54.

23 & 24 Vict. c. 93.

The expression "prescribed" means prescribed by county court rules under this Act.

Commencement and application of Act, and saving.

**7.**—(1.) This Act shall extend to every sum on account of tithe rentcharge which first becomes payable on or after the half-yearly day of payment of such tithe rentcharge which occurs next after the passing of this Act, whether such sum accrued before or after that day, and shall not extend to sums due on account of tithe rentcharge which were in arrear before the passing of this Act, nor to tithe rentcharge issuing out of the land of a railway company.

(2.) A sum on account of tithe rentcharge shall not be recoverable under this Act unless proceedings for such recovery have

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been commenced before the expiration of two years from the date at which it became payable.

(3.) Nothing in this Act shall alter the priority of any tithe rentcharge in relation to any other charge or incumbrance upon any lands.

(4.) Any enactment in the Tithe Acts or in the Extraordinary Tithe Redemption Act, 1886, directing any expenses, rentcharge, or other sums to be recovered as tithe rentcharge, shall, as respects any sum becoming due after the passing of this Act, be construed to refer to the recovery of tithe rentcharge under this Act, save that the owner of the lands shall not be entitled to obtain any remission under this Act.

Extent of Act and short titles.

**8.**—(1.) This Act shall not extend to Scotland or Ireland.

(2.) This Act may be cited as the Tithe Act, 1891.

(3.) The Act of the session of the sixth and seventh years of the reign of King William the Fourth, chapter seventy-one, intituled "An Act for the commutation of tithes in England and Wales," is in this Act referred to and may be cited as the Tithe Act, 1836, and that Act and the enactments amending the same passed before the passing of this Act are in this Act referred to and may be cited as the Tithe Acts.

(4.) The Act of the session of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter ninety-three, intituled "An Act to amend and further extend the Acts for the "commutation of tithes in England and Wales," is in this Act referred to and may be cited as the Tithe Act, 1860.

(5.) The Act of the session of the sixteenth and seventeenth years of the reign of Her present Majesty, chapter thirty-four, intituled "An Act for granting to Her Majesty duties on profits "arising from property, professions, trades, and offices," is in this Act referred to and may be cited as the Income Tax Act, 1853.

A.D. 1891.

## SCHEDULE.

FEES UNDER SECTION 2 OF THE TITHE ACT, 1891.

Where the sum claimed does not exceed five pounds:
For notice of application to the court - - - One shilling.
For making the order - - - One shilling and sixpence.
Where the sum claimed exceeds five pounds:
For notice of application to the court—
One shilling for every five pounds and fraction above any multiple of five pounds of the sum claimed.
For making the order—
One shilling and sixpence for every five pounds and fraction above any multiple of five pounds of the sum claimed.
But the total fee in any one case shall not exceed—
For notice of the application - - - - Ten shillings.
For making the order - - - - - Fifteen shillings.

# Tithe Rentcharge Recovery.

A

# BILL

[AS AMENDED IN COMMITTEE AND ON CONSIDERATION]

To make better provision for the Recovery of Tithe Rentcharge in England and Wales.

(*Prepared and brought in by Sir Michael Hicks Beach, Mr. Attorney General, Mr. Chaplin, and Mr. Raikes.*)

*Ordered, by* The House of Commons, *to be Printed,* 3 *February* 1891.

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[Bill 207.]

LORDS AMENDMENTS

TO THE

# TITHE RENTCHARGE RECOVERY BILL.

[NOTE.—*The pages and lines refer to the Bill* (38.) *as first printed by the Lords.*

*The words enclosed in brackets and underlined are proposed to be inserted by the Commons.*]

*Page* 1.

Line 7, leave out (" to the contrary ")

Line 8, after (" lands ") insert (" and any contract made " between an occupier and owner of lands after the passing " of this Act, for the payment of the tithe rentcharge by " the occupier shall be void ")

Line 11, leave out from (" but ") to (" he ") in line 12.

Line 14, leave out (" that tithe rentcharge ") and insert (" the " tithe rentcharge which such occupier has contracted to " pay ")

Line 16, leave out from (" rentcharge ") to (" Provided ") in line 18.

Line 26, leave out from (" by ") to the end of the clause and insert (" sections eighty-one and eighty-five of the Act of " the session of the sixth and seventh years of the reign of " King William the Fourth, chapter seventy-one, and the " enactments amending those sections, and not otherwise ")

*Page* 2.

Line 12, leave out (" and hearing of "), and after (" owner ") insert (" of the lands "), and after (" prescribed ") insert (" and after hearing such owner, if he appears and desires " to be heard,")

Line 23, after (" powers ") insert:

(3.) If such officer satisfies the court that there is no sufficient distress on the said lands, the court may authorise the person entitled to the sum ordered to be recovered to sue out a writ of

habere facias possessionem in accordance with section eighty-two of the Tithe Act, 1836; and the said person on obtaining possession shall, in accordance with the Tithe Acts, pay the surplus (if any), after payment of the tithe rentcharge and expenses, to the owner of the lands, and, while in possession, be under the obligation not to permit or commit any waste.

Line 28, after ("1836") insert ("and where any of such lands "are held at one rent together with other lands in another "parish, the court shall apportion the rent between the said "lands and the lands in the other parish in proportion to "their rateable value")

Line 29, leave out ("and")

*Page* 3.

Line 3, leave out ("and hearing of")

Line 4, after ("prescribed") insert ("and hearing of such "occupier if he appears and desires to be heard. Any "owner of the lands who fails to serve such notice as "aforesaid on the owner of the tithe rentcharge, shall not "be entitled to recover from the occupier any sum which "he has paid on account of tithe rentcharge as aforesaid, "unless and until he has, after notice to the occupier of his "application for the same, obtained from the county court "a certificate that the failure to give such notice was not "intentional, and that the occupier has not been prejudiced "thereby")

Line 5, leave out ("of court") and insert ("under this Act")

Line 7, after ("owner") insert ("or occupier")

Line 8, after ("or") insert ("the owner of any")

Line 26, leave out subsection (9.)

After clause 2. insert clauses (A.), (B.), (C.), and (D.)

Rules. (A.)—(1.) The Lord Chancellor may, after consultation with the Rule Committee of County Court Judges, make rules for carrying this Act into effect, and for regulating, providing, and prescribing any matter authorised by this Act to be regulated, provided, or prescribed by rules under this Act. In framing such rules regard shall be had to making the procedure as simple and inexpensive as is practicable.

(2.) Every rule under this Act shall be laid before each House of Parliament within forty days next after it is made, if Parliament is then sitting, or, if not, within forty days after the commencement of the then next ensuing session, and if an address is presented to Her Majesty by either House of Parliament within the next

subsequent forty days on which the said House shall have sat, praying that any such rule may be annulled, Her Majesty may thereupon, by Order in Council, annul the same; and the rule so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under the same.

Lands occupied rent free, &c.

(B.) Where a receiver appointed under this Act of the rents and profits of any lands satisfies the county court that the lands are let on such terms as not to reserve a rent sufficient to enable the receiver to recover from the owner thereof the sum ordered to be recovered, the court, after such service on the owner and occupier of the lands as may be prescribed, and after hearing such owner and occupier if they appear and desire to be heard, may direct that the order for such recovery shall be executed as if the occupier were the owner of the lands: Provided that any such occupier shall be entitled in addition to any other remedy, unless he would have been liable to pay the tithe rentcharge under any contract made before the passing of this Act, to deduct from any sums at any time becoming due from him to the landlord under whom he holds, any amount which shall have been recovered from him under this section in respect of tithe rentcharge or costs, with interest thereon at the rate of four per centum per annum.

Costs vexatiously occasioned.

(C.) Notwithstanding anything in this Act contained, the court shall have power to order any costs which it shall find to have been vexatiously or oppressively occasioned to be paid and recovered in the same manner as in the case of an ordinary action in the court.

Restrictions as to costs.

(D.)—(1.) An application to a county court for an order under this Act may be made on behalf of the tithe owner by his agent, although not a solicitor.

(2.) On any application to a county court for an order under this Act, the costs either of a solicitor or of a witness shall not be allowed in any case where the amount claimed is paid without further proceedings, and when notice of opposition has been given within the prescribed time, the costs of a solicitor shall only be allowed for work done subsequent to the notice.

*Page* 4.

Line 18, after (" on ") insert (" an owner of ")

Line 41, after (" recoverable ") insert (" and if the court is " satisfied that neither such remission nor the liability " thereto has been taken into account in estimating the " rateable value of the tithe rentcharge, the court may

" remit such amount [of any then current rate assessed on " the owner of the tithe rentcharge as appears to the court " to be proportionate to the amount of the remission of " tithe rentcharge] ")

*Page* 6.

Line 15, leave out from (" case ") to the end of the subsection and insert (" unless the context otherwise requires, means as " to the owner of lands the person who shall be in actual " possession otherwise than as tenant, or in receipt or " entitled to the receipt of the rents and profits of the lands, " and for the purposes of this Act the decision of the county " court as to who is the owner shall be conclusive; and " means as to the owner of the tithe rentcharge the same " officer or person as is in that behalf mentioned in the " Tithe Act, 1836.")

Line 29, leave out (" county court ")

Line 37, after (" nor ") insert (" except so far as relates to the " assessment and recovery of rates ")

*Page* 7.

After clause 7 insert clause (E.)

Repeal. (E.) Section eighty-four of the Tithe Act, 1836, is hereby repealed.

Line 14, after (" tithe ") insert (" rentcharge ")

After clause 8 insert clause (F.)

(F.) This Act shall come into operation on the thirty-first of March one thousand eight hundred and ninety-one.

*Page* 8.

Line 8, Schedule, after (" above ") insert (" five pounds or ")

Line 11, after (" above ") insert (" five pounds or ")

# LORDS AMENDMENTS

TO THE

# TITHE RENTCHARGE RECOVERY BILL.

*Ordered, by* The House of Commons, *to be Printed*, 17 *March* 1891.

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[*Price* 1*d.*]

[Bill 251.]

A

# B I L L

TO

Amend the Law relating to Tithes in Ireland. A.D. 1891.

WHEREAS under section thirty-two of the Irish Church Act, 1869, and section seven of the Irish Church Act, 1869, Amendment Act, 1872, the Commissioners acting under those Acts (whose powers are now vested in the Irish Land Commission), were empowered to sell any rentcharge in lieu of tithes vested in them under the first-mentioned Act to the owner of the land charged therewith, in consideration of a sum equal to twenty-two-and-a-half times the amount of such rentcharge, less such sum in the pound, as such owner should be ascertained by the Commissioners to have been on an average of five years preceding the passing of the said Irish Church Act, 1869, entitled to deduct for poor rates from the tithe rentcharge payable by him, and upon the application of any owner so purchasing by order to declare his purchase-money to be payable by instalments, and the land out of which such rentcharge issued to be accordingly charged for fifty-two years, with an annual sum calculated at the rate of four pounds nine shillings per centum on the purchase-money :

And whereas it is expedient to amend the said Acts, and make further provisions as to the redemption of tithe rentcharge :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

**1.** This Act may be cited as the Tithe Rentcharge (Ireland) Act, 1891.

Interpretation.

**2.** In this Act the expression "Land Commission" means the Irish Land Commission.

Amendment of section 7 of Irish

**3.**—(1.) In any sale of a tithe rentcharge made after the *passing of this Act* by the Land Commission under the provisions of section seven of the Irish Church Act, 1869, Amendment, Act, 1872, the

A.D. 1891.

Church Act, 1869, Amendment Act, 1872.

Land Commission may accept as the purchase-money *twenty* times the amount of such rentcharge, less the deductions for poor rates in that section mentioned, and may by any order under that section declaring the purchase-money to be payable by instalments charge the land out of which such rentcharge issued for *sixty-one* years with an annual sum calculated at the rate of *three pounds eight shillings* per centum on the purchase-money instead of the annual sum in that section mentioned.

(2.) Where at the time of such sale there are unpaid arrears of such rentcharge in excess of the half-yearly payment due on the gale day immediately preceding such sale, the Land Commission may order that upon payment within the time limited by such order of a portion of the arrears, not being less than the amount of one half-yearly payment of the rentcharge, the remainder of the arrears shall be payable by the addition to the amount of the instalments or annuity of an annual sum, calculated at the rate of *three pounds eight shillings* per centum on the amount of such remainder of the arrears, and upon such order being made and portion of arrears paid, the land out of which such tithe rentcharge issued shall be charged with such additional annuity for the repayment of the arrears for the term of *sixty-one years*, and such charge shall have the same priority as the tithe rentcharge in arrear.

Reduction of the annual charge payable by purchasers of tithe rentcharge under section 32 of the Irish Church Act, 1869, and section 6 of the Irish Church Act, 1869, Amendment Act, 1872.

**4.**—(1.) After the *passing of this Act* the Land Commission shall ascertain the capital sum still outstanding in respect of the purchase-money of any tithe rentcharge under the said recited Acts, or either of them, and shall reduce such capital sum by deducting therefrom *two and a half* times the amount of such rentcharge, and shall by order declare the amount of such capital sum so reduced.

(2.) The capital sum so reduced shall be deemed to be the outstanding capital sum due in respect of the purchase-money of the rentcharge, and the annuity payable in respect thereof, and charged on the land out of which such rentcharge issued shall be an annual sum calculated at the rate of *three pounds eight shillings* per centum on such reduced capital sum.

(3.) Such reduced annuity shall be payable for *sixty-one years* from the date of the payment of the annuity next after the *passing of this Act*, and shall be charged on the same land, and have the same priority, and be payable by the same person, and be recoverable in the same manner, as the annuity or annual charge for which it is substituted, and which shall cease to be payable as from the date aforesaid.

A.D. 1891.

(4.) An order of the Land Commission under this section shall as soon as may be after the *passing of this Act* be made and notified, by post or otherwise, in manner directed by the Land Commission to the person for the time being paying the annuity or annual charge under the recited Acts or either of them.

(5.) When on the date of the payment of the annuity next after the passing of this Act there are unpaid arrears of the instalments of the annuity in excess of the payment due on that day, the Land Commission may order that on payment within the time limited by such order of a portion of the arrears, not being less than the amount of the annuity for six months, the remainder of the arrears shall be repayable by the addition to the amount of the reduced annuity payable under this section of an annual sum, calculated at the rate of *three pounds eight shillings* per centum on the amount of such remainder of the arrears, and upon such order being made, and portion of arrears paid, the land out of which the rentcharge issued shall be charged with the additional annuity for the repayment of arrears for the term of *sixty-one years*, and such charge shall have the same priority as the charge on the land of the annuity in arrear.

# Tithes (Ireland).

A

# B I L L

To amend the Law relating to Tithes in Ireland.

(*Prepared and brought in by Mr. Penrose Fitzgerald, Colonel Saunderson, Colonel Waring, Mr. T. W. Russell, Mr. Macartney, and Mr. Smith-Barry.*)

*Ordered, by* The House of Commons, *to be Printed,* 26 *November* 1890.

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[*Price* ½*d.*]

[Bill 46.]

# Town Holdings Bill.

## MEMORANDUM.

The Bill is not retrospective, but any agreement inconsistent with its provisions is declared null and void.

The landlord is protected in respect of any benefit allowed or breach of covenant, and may obtain power from the court to charge his estate with the amount of compensation.

The tenant claiming compensation must give at least two months' notice of his intention, and the amount payable may either be agreed or settled by reference, according to the Arbitration Act, 1889, or, in case of dispute, by a referee to be appointed by the Local Government Board. The tenant's property in fixtures, machinery, &c. is protected.

This Bill carries out the recommendation made in the final report of the Town Holdings Committee, that compensation should be given for improvements in certain cases, as follows:—"But with "regard to future contracts of tenancy the Committee feel that no "injustice would be involved in such an alteration of the law as "would entitle the tenant of trade or business premises on the "expiration of his tenancy to compensation for such improvements "as he may have *bonâ fide* made for the purpose of carrying on "his trade or business, and as may have added to the permanent "letting value of the premises."

The procedure adopted is taken from the Agricultural Holdings Act, 1883.

# Town Holdings Bill.

## ARRANGEMENT OF CLAUSES.


Clause.

1. Short title.
2. Commencement of Act.
3. Interpretation of terms.
4. Compensation for improvements.
5. Improvements executed before the commencement of this Act.
6. Improvements executed after the commencement of this Act.
7. Compensation for improvements mentioned in schedule.
8. Regulation as to compensation for improvements.
9. Notice of intended claim.
10. Compensation agreed or settled by reference.
11. Appointment of referee.
12. Requisition for appointment of referee by Local Government Board.
13. Award to give particulars.
14. Recovery of compensation.
15. Appointment of guardian.
16. Provisions respecting married women.
17. Costs in county court.
18. Power for landlord on paying compensation to obtain charge.
19. Incidence of charge.
20. Provision in case of trustee.
21. Advance made by a company.
22. Tenants property in fixtures, machinery, &c.
23. Landlord, archbishop or bishop.
24. Landlord, incumbent or benefice
25. Landlord, charity trustees, &c.
26. Provision as to limited owners.


[Bill 14.]

Clause.
27. Provision in case of reservation of rent.
28. Set-off of compensation against rent.
29. Exclusion of certiorari.
30. Avoidance of agreement inconsistent with Act.
31. Right of tenant in respect of improvement purchased from outgoing tenant.
32. Provision as to change of tenancy.
33. Restriction in respect of improvements by tenants about to quit.

SCHEDULE.

A

# B I L L

TO

Give Compensation to occupying Tenants of Town Holdings for beneficial Improvements. A.D. 1890.

WHEREAS it is expedient to amend the law so as to give to certain occupying tenants compensation for beneficial improvements to their holdings:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited for all purposes as the Town Holdings Act, 1891.

Commencement of Act.

**2.** This Act shall come into operation on the *first day of September one thousand eight hundred and ninety-one*, which date is herein-after referred to as the commencement of this Act.

Interpretation of terms.

**3.** In this Act the following words and expressions shall have the interpretations and meanings in this section assigned to them respectively, unless there be something in the subject or context repugnant to such construction (that is to say):—

"Holding" includes any messuage, dwelling-house, shop, cottage, chapel, or other building, and any buildings, yard, garden, pleasure ground, or other piece of land used in connexion therewith, held in pursuance of a lease as defined by this Act, so that such buildings, yard, garden, pleasure ground, or other piece of land do not exceed three acres in extent:

"Contract of tenancy" means a letting of or agreement for the letting of premises for a term of years, or for lives, or for lives and years, or from year to year:

A tenancy from year to year under a contract of tenancy current at the commencement of the Act shall for the purposes of this Act be deemed to continue to be a tenancy under a contract of tenancy current at the commencement of this Act

A.D. 1890.

until the first day on which either the landlord or tenant of such tenancy could, the one by giving notice to the other immediately after the commencement of this Act, cause such tenancy to determine, and on and after such day as aforesaid shall be deemed to be a tenancy under a contract of tenancy beginning after the commencement of this Act:

"Determination of tenancy" means the cesser of a contract of tenancy by reason of effluxion of time, or from any other cause:

"Landlord" in relation to a holding means any person for the time being entitled to receive the rents and profits of any holding:

"Tenant" means the holder of premises under a landlord for a term of years, or for lives, or for lives and years, or from year to year:

"Tenant" includes the executors, administrators, assigns, legatee, devisee, or next-of-kin, husband, guardian, committee of the estate or trustees in bankruptcy of a tenant, or any person deriving title from a tenant; and the right to receive compensation in respect of any improvement made by a tenant shall enure to the benefit of such executors, administrators, assigns, and other persons as aforesaid:

"Holding" means any premises held by a tenant:

"Occupying tenant" means any person living in or carrying on business in or on the occupying tenancy who either—

(*a*) holds as lessee under a lease;

(*b*) holds a life lease;

(*c*) has by himself or partners held and made use of the occupancy continuously with or without a lease for at least *twenty years;*

(*d*) has succeeded his or her father, mother, husband, wife, brother, sister, or partner in the occupation with or without a lease when the successive tenure has existed for at least years;

(*e*) in case of business premises has purchased the business when such business has been carried on in or on the occupying tenancy for at least *twenty years:*

"Occupier" means a person residing in or carrying on business in or on a holding without regard to the length of his tenancy:

"Person" to include women.

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Compensation for improvements.

**4.** Subject as in this Act mentioned, where the occupying tenant has made on his occupying tenancy any improvement comprised in the schedule hereto, he shall on and after the commencement of this Act be entitled on quitting his tenancy at the determination of a tenancy to obtain from the landlord as compensation under this Act for such improvement such sum as fairly represents the value of the improvement to be ascertained as herein-after mentioned.

Improvements executed before the commencement of Act.

**5.** Compensation shall not be payable in respect of improvements executed before the commencement of this Act.

Improvements executed after the commencement of this Act.

**6.** Compensation under this Act shall be payable in respect of any improvement mentioned in the schedule hereto, and executed after the commencement of this Act, unless the landlord, or his agent duly authorised in that behalf, has previously to the execution of the improvement and after the *passing of this Act* refused in writing to the making of such improvement, and the umpire, as herein-after mentioned, shall have certified that such refusal was unreasonable on the part of the landlord.

Compensation for improvements mentioned in schedule.

**7.** Compensation under this Act shall not be payable in respect of any improvement mentioned in the schedule hereto, and executed after the commencement of this Act, unless the occupying tenant has not more than three months and not less than two months, before beginning to execute such improvement, given to the landlord, or his agent duly authorised in that behalf, notice in writing of his intention so to do, and of the manner in which he proposes to do the intended work, and upon such notice being given the landlord and occupying tenant may agree on the terms as to compensation or otherwise on which the improvement is to be executed; and, in the event of any such agreement being made, any compensation payable thereunder shall be deemed to be substituted for compensation under this Act, or the landlord may, unless the notice of the occupying tenant is previously withdrawn, undertake to execute the improvement himself, and may execute the same in any reasonable and proper manner which he thinks fit, and charge the occupying tenant with a sum not exceeding *five pounds* per centum per annum on the outlay incurred in executing the improvement, or not exceeding such annual sum payable for a period of *twenty years* as will repay such outlay in the said period with interest at the rate of *five* per centum per annum, such annual sum to be recoverable as rent. In default of any such agreement or undertaking, and also in the event of the landlord failing to comply with his undertaking within a reasonable time, the occupying tenant

A.D. 1890.

may execute the improvement himself, and shall in respect thereof be entitled to compensation under this Act.

Regulation as to compensation for improvements.

**8.** In the ascertainment of the amount of the compensation under this Act payable to the occupying tenant in respect of any improvement, there shall be taken into account in reduction thereof—

(*a.*) Any benefit which the landlord has given or allowed to the occupying tenant in consideration of the occupying tenant executing the improvement.

(*b.*) Any sums due to the landlord in respect of rent or in respect of any breach of covenant committed or permitted by the occupying tenant. Also, any rates or taxes due or becoming due in respect of the occupying tenancy to which the occupying tenant is liable as between him and the landlord.

There shall be taken into account in augmentation of the tenant's compensation—

(*c.*) Any sum due to the occupying tenant for compensation in respect of a breach of covenant or other agreement connected with a contract of tenancy and committed by the landlord.

Notice of intended claim.

**9.** A tenant claiming compensation under this Act shall, two months at least before the determination of the tenancy, give notice in writing to the landlord of his intention to make such claim.

Where a tenant gives such notice, the landlord may, before the determination of the tenancy, or within fourteen days thereafter, give a counter-notice in writing to the tenant of his intention to make a claim in respect of any waste or any breach of covenant or other agreement.

Every such notice and counter-notice shall state, as far as reasonably may be, the particulars and amount of the intended claim.

Compensation agreed or settled by reference.

**10.** The landlord and the tenant may agree on the amount and mode and time of payment of compensation to be paid under this Act.

If in any case they do not so agree, the difference shall be settled by a reference.

Appointment of referee.

**11.** Where there is a reference under this Act, a referee shall be appointed in accordance with the terms and provisions of the Arbitration Act, 1889, and for that purpose notice in writing by the tenant to the landlord or by the landlord to the tenant of his desire to appoint an arbitrator for a reference under this Act shall be deemed to be a submission to arbitration within the meaning of the said Act.

Requisition for appointment of referee by Local Government Board.

**12.** Provided that in case of dispute the referee shall be appointed by the Local Government Board for England.

Award to give particulars.

**13.** The award shall not award a sum generally for compensation, but shall, so far as possible, specify—

(*a*) the several improvements, acts, and things in respect whereof compensation is awarded, and the several matters and things taken into account under the provisions of this Act in reduction or augmentation of such compensation;

(*b*) the time at which each improvement, act, or thing was executed, done, committed, or permitted;

(*c*) the sum awarded in respect of each improvement, act, matter, and thing; and

(*d*) where the landlord desires to charge his estate with the amount of compensation found due to the tenant, the time at which, for the purposes of such charge, each improvement, act, or thing in respect of which compensation is awarded is to be deemed to be exhausted.

Recovery of compensation.

**14.** Where any money agreed or awarded to be paid for compensation, costs, or otherwise, is not paid within fourteen days after the time when it is agreed or awarded or ordered to be paid, it shall be recoverable, upon order made by the judge of the county court, as money ordered by a county court under its ordinary jurisdiction to be paid is recoverable.

Appointment of guardian.

**15.** Where a landlord or tenant is an infant without a guardian, or is of unsound mind, not so found by inquisition, the county court, on the application of any person interested, may appoint a guardian of the infant or person of unsound mind for the purposes of this Act, and may change the guardian if and as occasion requires.

Provisions respecting married women.

**16.** Where the appointment of a person to act as the next friend of a married woman is required for the purposes of this Act, the county court may make such appointment, and may remove or change that next friend if and as occasion requires.

45 & 46 Vict. c. 75.

A woman married before the commencement of the Married Women's Property Act, 1882, entitled for her separate use to demised premises, her title to which accrued before such commencement as aforesaid, and not restrained from anticipation, shall, for the purposes of this Act, be in respect of demised premises as if she was unmarried.

Where any other woman married before the commencement of the Married Women's Property Act, 1882, is desirous of doing any act under this Act in respect of the demised premises, her title to

A.D. 1890.

which accrued before such commencement as aforesaid, her husband's concurrence shall be requisite, and she shall be examined apart from him by the county court, or by the judge of the county court for the place where she for the time being is, touching her knowledge of the nature and effect of the intended act, and it shall be ascertained that she is acting freely and voluntarily.

Costs in county court.

**17.** The cost of proceedings in the county court under this Act shall be in the discretion of the court.

The Lord Chancellor may from time to time prescribe a scale of costs for those proceedings, and of costs to be taxed by the registrar of the court.

Power for landlord on paying compensation to obtain charge.

**18.** A landlord, on paying to the tenant the amount due to him in respect of compensation under this Act, or in respect of compensation authorised by this Act to be substituted for compensation under this Act, or on expending such amount as may be necessary to execute an improvement under the schedule hereto, after notice given by the tenant of his intention to execute such improvement in accordance with this Act, shall be entitled to obtain from the county court a charge on the holding, or any part thereof, to the amount of the sum so paid or expended.

The court shall, on proof of the payment or expenditure, and on being satisfied of the observance in good faith by the parties of the conditions imposed by this Act, make an order charging the holding, or any part thereof, with repayment of the amount paid or expended, with such interest, and by such instalments, and with such directions for giving effect to the charge, as the court thinks fit.

But, where the landlord obtaining the charge is not absolute owner of the holding for his own benefit, no instalment or interest shall be made payable after the time when the improvement in respect whereof compensation is paid will, where an award has been made, be taken to have been exhausted according to the declaration of the award, and in any other case after the time when any such improvement will in the opinion of the court, after hearing such evidence (if any) as it thinks expedient, have become exhausted.

The instalments and interest shall be charged in favour of the landlord, his executors, administrators, and assigns.

The estate or interest of any landlord holding for an estate or interest determinable or liable to forfeiture by reason of his creating or suffering any charge thereon, shall not be determined or forfeited by reason of his obtaining a charge under this Act, anything in any

deed, will, or other instrument to the contrary thereof notwithstanding. A.D. 1890.

Capital money arising under the Settled Land Act, 1882, may be applied in payment of any moneys expended and costs incurred by a landlord under or in pursuance of this Act in or about the execution of any improvement mentioned in the first or second parts of the schedule hereto, as for an improvement authorised by the said Settled Land Act; and such money may also be applied in discharge of any charge created on a holding under or in pursuance of this Act in respect of any such improvement as aforesaid, as in discharge of an incumbrance authorised by the said Settled Land Act to be discharged out of such capital money. 45 & 46 Vict. c. 38.

**19.** The sum charged by the order of a county court under this Act shall be a charge on the holding, or the part thereof charged, for the landlord's interest therein, and for all interests therein subsequent to that of the landlord; but so that the charge shall not extend beyond the interest of the landlord, his executors, administrators, and assigns, in the tenancy where the landlord is himself a tenant of the holding. Incidence of charge.

**20.** Where the landlord is a person entitled to receive the rents and profits of any holding as trustee, or in any character otherwise than for his own benefit, the amount due from such landlord in respect of compensation under this Act, or in respect of compensation authorised by this Act to be substituted for compensation under this Act, shall be charged and recovered as follows and not otherwise; (that is to say), Provision in case of trustee.

(1.) The amount so due shall not be recoverable personally against such landlord, nor shall he be under any liability to pay such amount, but the same shall be a charge on and recoverable against the holding only.

(2.) Such landlord shall, either before or after having paid to the tenant the amount due to him, be entitled to obtain from the county court a charge on the holding to the amount of the sum required to be paid or which has been paid, as the case may be, to the tenant.

(3.) If such landlord neglect or fail within one month after the tenant has quitted his holding to pay to the tenant the amount due to him, then after the expiration of such one month the tenant shall be entitled to obtain from the county court in favour of himself, his executors, administrators, and assigns, a charge on the holding to the amount of the sum due to him,

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and of all costs properly incurred by him in obtaining the charge or in raising the amount due thereunder.

(4.) The court shall on proof of the tenant's title to have a charge made in his favour make an order charging the holding with payment of the amount of the charge, including costs, in like manner and form as in case of a charge which a landlord is entitled to obtain.

Advance made by a company.

**21.** Any company now or hereafter incorporated by Parliament, and having power to advance money for the improvement of land, may take an assignment of any charge made by a county court under the provisions of this Act, upon such terms and conditions as may be agreed upon between such company and the person entitled to such charge; and such company may assign any charge so acquired by them to any person or persons whomsoever.

Tenant's property in fixtures, machinery, &c.

**22.** Where after the commencement of this Act a tenant affixes to his holding any machinery or other fixture, or erects any building for which he is not under this Act or otherwise entitled to compensation, and which is not so affixed or erected in pursuance of some obligation in that behalf or instead of some fixture or building belonging to the landlord, then such fixture or building shall be the property of and be removable by the tenant before or within a reasonable time after the termination of the tenancy.

Provided as follows:—

1. Before the removal of any fixture or building the tenant shall pay all rent owing by him, and shall perform or satisfy all other his obligations to the landlord in respect to the holding:
2. In the removal of any fixture or building the tenant shall not do any avoidable damage to any other building or other part of the holding:
3. Immediately after the removal of any fixture or building the tenant shall make good all damage occasioned to any other building or other part of the holding by the removal:
4. The tenant shall not remove any fixture or building without giving one month's previous notice in writing to the landlord of the intention of the tenant to remove it:
5. At any time before the expiration of the notice of removal the landlord, by notice in writing given by him to the tenant, may elect to purchase any fixture or building comprised in the notice of removal, and any fixture or building thus elected to be purchased shall be left by the tenant, and shall become the property of the landlord, who shall pay the

tenant the fair value thereof to an incoming tenant of the holding; and any difference as to the value shall be settled by a reference under this Act, as in case of compensation (but without appeal).

Landlord, archbishop or bishop.

**23.** Where lands are assigned or secured as the endowment of a see, the powers by this Act conferred on a landlord shall not be exercised by the archbishop or bishop, in respect of those lands, except with the previous approval in writing of the Estates Committee of the Ecclesiastical Commissioners for England.

Landlord, incumbent of benefice.

**24.** Where a landlord is incumbent of an ecclesiastical benefice, the powers by this Act conferred on a landlord shall not be exercised by him in respect of the glebe land or other land belonging to the benefice, except with the previous approval in writing of the patron of the benefice, that is, the person, officer, or authority who, in case the benefice were vacant, would be entitled to present thereto, or of the Governors of Queen Anne's Bounty (that is, the Governors of the Bounty of Queen Anne for the Augmentation of the Maintenance of the Poor Clergy).

In every such case the Governors of Queen Anne's Bounty may, if they think fit, on behalf of the incumbent, out of any money in their hands, pay to the tenant the amount of compensation due to him under this Act; and thereupon they may, instead of the incumbent, obtain from the county court a charge on the holding, in respect thereof, in favour of themselves.

Every such charge shall be effectual, notwithstanding any change of the incumbent.

Landlord, charity trustees, &c.

**25.** The powers by this Act conferred on a landlord in respect of charging the land shall not be exercised by trustees for ecclesiastical or charitable purposes, except with the previous approval in writing of the Charity Commissioners for England and Wales.

Provision as to limited owners.

**26.** A landlord, whatever may be his estate or interest in his holding, may give any consent, make any agreement, or do or have done to him any act in relation to improvements in respect of which compensation is payable under this Act which he might give or make or do or have done to him if he were, in the case of an estate of inheritance, owner thereof in fee, and in the case of a leasehold, possessed of the whole estate in the leasehold.

Provision in case of reservation of rent.

**27.** When, by any Act of Parliament, deed, or other instrument, a lease of a holding is authorised to be made, provided that the best rent, or reservation in the nature of rent, is by such lease reserved, then, whenever any lease of a holding is, under such

A.D. 1890.

authority, made to the tenant of the same, it shall not be necessary, in estimating such rent or reservation, to take into account against the tenant the increase (if any) in the value of such holding arising from any improvements made or paid for by him on such holding.

Set-off of compensation against rent.

**28.** Where the compensation due under this Act, or under any custom or contract, to a tenant has been ascertained before the landlord distrains for rent due, the amount of such compensation may be set off against the rent due, and the landlord shall not be entitled to distrain for more than the balance.

Exclusion of certiorari.

**29.** An order of the county court or of a court of summary jurisdiction under this Act shall not be quashed for want of form, or be removed by certiorari or otherwise into any superior court.

Avoidance of agreement inconsistent with Act.

**30.** Any contract, agreement, or covenant made by a tenant, by virtue of which he is deprived of his right to claim compensation under this Act in respect of any improvement mentioned in the schedule hereto (except an agreement providing such compensation as is by this Act permitted to be substituted for compensation under this Act), shall, so far as it deprives him of such right, be void both at law and in equity.

Right of tenant in respect of improvement purchased from outgoing tenant.

**31.** Where an incoming tenant has, with the consent in writing of his landlord, paid to an outgoing tenant any compensation payable under or in pursuance of this Act in respect of the whole or part of any improvement, such incoming tenant shall be entitled on quitting the holding to claim compensation in respect of such improvement or part in like manner, if at all, as the outgoing tenant would have been entitled if he had remained tenant of the holding, and quitted the holding at the time at which the incoming tenant quits the same.

Provision as to change of tenancy.

**32.** A tenant who has remained in his holding during a change or changes of tenancy shall not thereafter on quitting his holding at the determination of a tenancy be deprived of his right to claim compensation in respect of improvements by reason only that such improvements were made during a former tenancy or tenancies, and not during the tenancy at the determination of which he is quitting.

Restriction in respect of improvements by tenant about to quit.

**33.** Subject as in this section mentioned, a tenant shall not be entitled to compensation in respect of any improvements, as defined by this Act, begun by him, if he holds from year to year, within one year before he quits his holding, or at any time after he has given or received final notice to quit, and, if he holds as a lessee, within one year before the expiration of his lease.

## SCHEDULE.

A.D. 1890.

Such improvements bonâ fide made for the purpose of carrying on a business or otherwise as may have added to the permanent letting value of the premises.

Any work, outlay, benefit, improvement, or advantage executed, done, or accruing (during the occupying tenancy by the occupying tenant and his predecessors in occupancy) in, to, or upon the holding whereby or in consequence whereof the holding would in the opinion of the arbitrator in the Act mentioned increase or augment the amount paid as rent by the occupying tenant of the holding if the same were let for a period extending over seven years from the determination of the tenancy of the occupying tenant to a hypothetical tenant or tenants on the same terms as regards tenancy as those held or enjoyed by the occupying tenant at the time of the determination of his tenancy.

# Town Holdings.

A

# B I L L

To give Compensation to occupying Tenants of Town Holdings for beneficial Improvements.

(*Prepared and brought in by Mr. Lawson, Mr. J. Rowlands, Mr. David Thomas, and Earl Compton.*)

*Ordered, by* The House of Commons, *to be Printed*, 26 *November* 1890.

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[*Price* 2*d.*]

[Bill 14.]

# Towns Improvement (Ireland) Bill.

## MEMORANDUM.

The object of this Bill is to modify to a small extent the restrictions imposed by the present law upon town commissioners in towns in Ireland with a less population than 6,000. The present rating powers of such commissioners never exceed one shilling in the pound, and are in many cases totally insufficient to provide for efficient paving, cleansing, and lighting, and also to provide proper markets, and other public improvements. Under the Bill the present narrow limit is allowed to be extended to a maximum of two shillings in any town with the consent of—

(*a*) the ratepayers, and

(*b*) the Lord Lieutenant.

A

# B I L L

TO

Amend the Law relating to the Improvement of Towns in Ireland. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited as the Towns Improvement (Ireland) Act, 1891.

Extension of rating powers in towns under 9 Geo. 4. c. 82.

**2.** In any town where commissioners have been elected under an Act passed in the ninth year of the reign of King George the Fourth, chapter eighty-two, intituled "An Act to make provision "for the lighting, cleansing, and watching of cities, towns "corporate, and market towns in Ireland in certain cases," this Act may be adopted in the manner provided by sections two to nine (both inclusive) of that Act for the adoption of that Act, and thereupon section thirty-eight of that Act shall be amended so as to enable such commissioners in any town where this Act has been adopted to impose upon the owners, occupiers, and tenants of the various classes of tenements in the said section thirty-eight mentioned, rates not exceeding the respective amounts of *one shilling, one shilling and sixpence*, and *two shillings* in the pound instead of the respective amounts of sixpence, ninepence, and one shilling therein mentioned.

Extension of rating powers in towns under Towns Improvement (Ireland) Act, 1854. 17 & 18 Vict. c. 103.

**3.** In any town where commissioners have been elected under the Towns Improvement (Ireland) Act, 1854, this Act may be adopted in the manner provided by sections four to fifteen of that Act for the adoption of that Act, and thereupon section sixty of that Act shall be amended so as to enable such commissioners in any town wherein this Act has been adopted to make an assessment upon the occupiers of premises as in the said section sixty mentioned, not exceeding in any year the rate of *two shillings* in the pound.

Extent of Act.

**4.** This Act shall extend only to Ireland.

# Towns Improvement (Ireland).

A

# B I L L

To amend the Law relating to the Improvement of Towns in Ireland.

(*Prepared and brought in by Mr. Knox, Sir Thomas Esmonde, and Mr. Webb.*)

*Ordered, by* The House of Commons, *to be Printed*, 3 *February* 1891.

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and 21, Drury Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* 1*d.*]

[Bill 185.]

A

# B I L L

TO

Exempt the Funds of Trade Unions paying Provident Benefits to their Members from the payment of Income Tax on their Investments. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

**1.** This Act may be cited as the Trade Union (Provident Funds) Act, 1891.

Exemption of funds from the payment of income tax.

**2.** A trade union duly registered under the Trade Union Acts, 1871 and 1876, shall not be chargeable under Schedules A., C., or D. of any of the Acts for granting duties of income tax.

Provided always : (1.) That no member of or person employed by such trade union shall be exempt from any assessment to the said duties to which he would otherwise be liable under such schedules.

(2.) The exemption hereby allowed shall not extend to any trade union by the rules of which the amount assured to any member, or person nominated by or claiming under him, shall exceed the total sum of *two hundred pounds*, or the amount of any annuity granted to any member, or person nominated by him, shall not exceed *twelve shillings* per week, or *thirty-one pounds four shillings* per annum.

(3.) The said exemption shall be claimed and allowed in manner prescribed by law for legally established friendly societies claiming exemption.

# Trade Unions (Provident Funds).

A

# B I L L

To exempt the Funds of Trade Unions paying Provident Benefits to their Members from the payment of Income Tax on their Investments.

(*Prepared and brought in by Mr. Howell, Mr. Broadhurst, Mr. Burt, Mr. Fenwick, and Mr. John Wilson.*)

*Ordered, by* The House of Commons, *to be Printed* 12 *May* 1891.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 334.]

A

# B I L L

FOR

## The more effectual Prevention of Fraudulent Trading.

A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Persons trading under names other than their own to register.

**1.** From and after the commencement of this Act any person or persons trading or carrying on business in England or Wales under a name or names different from the name or names of the actual proprietor or proprietors, and not being a mining company subject to the jurisdiction of the stanneries, or a company incorporated by or in pursuance of any Act of Parliament, Letters Patent, or Royal Charter, shall register or cause to be registered the particulars herein-after mentioned in the manner directed by this Act.

Mode and particulars of registration.

**2.** Registration under this Act shall be effected by sending by post or delivering to the registrar of the county court within the district of which any place of business required by this Act to be registered is situated, a statement in writing containing the following particulars:

(*a.*) The name, names, or style under which the business is carried on;

(*b.*) The nature of the business;

(*c.*) The place or places, wherever situated, at which the business is carried on;

(*d.*) The full name, usual residence, and other occupation, if any, of every person having any proprietary interest in the business.

In the event of any change occurring in respect of any one of the said particulars, registration of such change shall be made in like manner.

Time for and fees on registration.

**3.** The registration herein-before directed shall be made without fee or charge in the case of any business carried on at the

A.D. 1891.

commencement of this Act if made within one month after that date, or in the case of any business commenced after the commencement of this Act if made within one month after the commencement of such business, or in the event of any change as above mentioned if made within one month after such change.

For every registration made after the said several periods of one month respectively there shall be charged and payable to the registrar of the county court a fee of *one pound*.

Penalty for neglect to register.

**4.** Any person by this Act required to register who shall, without reasonable excuse, fail or neglect so to do within the time allowed by this Act for registration free of charge shall, if registration has not been effected when proceedings are taken against him, be liable on summary conviction before two justices of the peace to a fine not exceeding *one pound* for every day during which the default has continued.

Incapacity to sue of person not registered.

**5.** No action shall be brought by any person or persons required by this Act to register, and in respect of the business required to be registered, unless and until such registration is effected.

False registration a misdemeanor.

**6.** Any person who shall knowingly make, sign, send, or deliver for the purpose of registration under this Act a statement false in any material particular shall be guilty of a misdemeanor, and shall, on conviction, be liable to imprisonment with or without hard labour for *twelve calendar months*.

Registrar to file statement and issue certificate of registration.

**7.** On receiving any statement made in pursuance of this Act, the registrar shall cause the same to be filed, and shall send by post a certificate of the registration thereof to the address within the county court district of the business registered.

Register to be kept.

**8.** The registrar of every county court shall, for the purposes of this Act, keep within each county court district a register, and an index to the entries therein in such form as the Board of Trade may prescribe, and shall, on receipt of any statement by this Act required to be furnished to him, enter the particulars of the same in the said register.

Inspection of statements registered.

**9.** Any person may inspect, make extracts from or copies of the statements filed by the registrar on payment of a fee of *one shilling* for each inspection; and any person, on payment of a fee of *two shillings*, may require a certificate of the registration of any business, or a copy of any registered statement certified by the registrar.

Certificate of registration to be evidence.

**10.** A certificate of registration, or a copy of or extract from any statement registered under this Act, purporting to be signed

and certified by the registrar, shall in all courts, and before all arbitrators or other persons, be admitted as primâ facie evidence thereof, and of the fact and date of registration as shown thereon. A.D. 1891.

Power of Board of Trade to make rules.

**11.** The Board of Trade may, either before or after the commencement of this Act, with the concurrence of the Lords Commissioners of the Treasury, make, revoke, or alter rules relating to the followiug matters:

(*a.*) The mode of payment and application of fees payable under this Act;

(*b.*) The form of register and index to be adopted;

(*c.*) The duties of any registrars for the purposes of this Act; and

(*d.*) Regulation of registration under this Act, and matters incidental thereto.

Commencement of the Act.

**12.** This Act shall come into operation on the *first day of January, one thousand eight hundred and ninety-two.*

Short title.

**13.** This Act may be cited as the Trading Registration Act, 1891.

# Trading (Registration).

A

# BILL

For the more effectual Prevention of Fraudulent Trading.

(*Prepared and brought in by Mr. Arthur O'Connor, Mr. Addison, and Sir Albert Rollit.*)

*Ordered, by* The House of Commons, *to be Printed,* 3 *February* 1891.

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and 21, Drury Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 183.]

A

# B I L L

TO

Provide for the Re-imbursement to Training Colleges in Ireland of certain past Expenditure on their Sites, Buildings, Appurtenances, Premises, and Fixtures. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

**1.** This Act may be cited as the Training Colleges (Ireland) Act, 1891. Short title.

**2.**—(1.) For the purpose of discharging or redeeming any liability incurred, or reimbursing the funds of the college in respect of any expenditure made, before the *passing of this Act*, in or in relation to the acquisition, erection, enlargement or structural improvement of the site, buildings, appurtenances, premises, or fixtures of any of the National Training Colleges mentioned in the schedule to this Act, the Irish Land Commission, on the recommendation of the Commissioners of National Education in Ireland, may out of the Irish Church Temporalities Fund, advance to the managers of any of the said colleges such sums as appear to the Land Commission to be required for the above mentioned purpose, provided that the aggregate amount of loans made to any college shall not exceed the amount which the Treasury, upon the report of the Land Commission, consider to be the value of the site, buildings, appurtenances and premises of the college. Power of Irish Land Commission to lend to training colleges.

(2.) The National Commissioners of Education may make the said recommendation on being satisfied that the amount of the loan will be applied towards the discharge or redemption of any liability of the training college, and subject thereto be invested for the purpose of the training college, and the loan, when made, shall be applied accordingly.

(3.) The loan shall be repaid to the Irish Land Commission by an annuity for *thirty-five years* from the date of the loan at the

A.D. 1891.

rate of *five* per cent. per annum payable by equal half-yearly instalments.

(4.) *The said annuity shall be paid by the said managers with the sums received by them out of moneys provided by Parliament for training colleges under local management in Ireland, and shall be a first charge on the sums received in every year by the said managers out of those moneys.*

(5.) The amount of the loan until repaid shall also be a first charge on the site, buildings, appurtenances, and premises in respect of which it is made, in like manner as if it were secured by a mortgage of the same to the Land Commission, in priority to all other charges.

(6.) Save so far as is necessary for realising the said charge, any site, buildings, appurtenances, premises, and fixtures for the purpose of which any loan is advanced under the Act and repaid out of moneys provided by Parliament shall be held in trust for a training college and for no other purpose.

(7.) In this Act the expression "Irish Church Temporalities Fund" means the fund under the control of the Land Commission by virtue of the Irish Church Act Amendment Act, 1881.

44 & 45 Vict. c. 71.

## SCHEDULE.

St. Patrick's Training College, Drumcondra.
Our Lady of Mercy Training College, Baggot Street, Dublin.
The Church of Ireland Training College, Kildare Place, Dublin.

# Training Colleges (Ireland).

A

# B I L L

To provide for the Re-imbursement to Training Colleges in Ireland of certain past Expenditure on their Sites, Buildings, Appurtenances, Premises, and Fixtures.

(*Prepared and brought in by Mr. Arthur Balfour and Mr. Jackson.*)

*Ordered, by* The House of Commons, *to be Printed*, 25 *June* 1891.

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HODGES, FIGGIS, & Co., 104, GRAFTON STREET, DUBLIN.

[*Price* ½*d.*]

[Bill 391.]

A

# B I L L

Further to amend the Tramways (Ireland) Act, 1860. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. **1.** This Act may be cited for all purposes as the Tramways (Ireland) Amendment Act, 1891.

Extent of Act. **2.** This Act shall only extend to Ireland.

Increase of tramway company's capital. **3.** It shall be lawful for the Lord Lieutenant in Council from time to time, on the application of any existing tramway company, by order to empower such company to increase their share capital in such manner as shall be specified by the order, and correspondingly to enlarge their borrowing powers, and also from time to time, on the like application, by order to alter or amend any of the provisions of a previous order, on notice being given to such persons and authorities as the said Lord Lieutenant in Council may think fit, and after hearing any person or authority concerned and desiring to be heard.

Loan to tramway company. **4.** The Board of Works may, under the directions of the Commissioners of Her Majesty's Treasury, out of moneys at the disposal of such Board for local loans, advance by way of loan to any existing tramway company such sum or sums of money within the borrowing powers of such company at such rate of interest and generally upon such terms as such Treasury may think fit.

Construction. **5.** The Tramways (Ireland) Acts, as interpreted by the Tramways and Public Companies (Ireland) Act, 1883, and as varied by this Act, and this Act, shall, so far as is consistent with the tenor thereof, be read together and construed as one Act.

# Tramways (Ireland) Act (1860) Amendment.

A

# B I L L

Further to amend the Tramways (Ireland) Act, 1860.

(*Prepared and brought in by Sir Edward Harland, Mr. Sexton, and Captain M'Calmont.*)

*Ordered, by* The House of Commons, *to be Printed,* 9 *December* 1890.

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and 21, Drury Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 160.]

A

# B I L L

TO

Confirm an Order in Council of the Lord Lieutenant and Privy Council in Ireland relating to the Athenry and Tuam (Extension to Claremorris) Railway. A.D. 1890.

WHEREAS the Lord Lieutenant and Privy Council in Ireland have made the Order set forth in the Schedule hereunto annexed, under the provisions of the Tramways and Public Companies (Ireland) Act, 1883: 46 & 47 Vict. c. 43.

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

**1.** The Order set out in the Schedule hereunto annexed shall be and the same is hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. The Order in Schedule confirmed.

**2.** This Act may be cited as the Tramways Order in Council (Ireland) (Athenry and Tuam Extension to Claremorris Railway) Confirmation Act, 1891. Short title.

A.D. 1890.

# SCHEDULE.

## THE ATHENRY AND TUAM EXTENSION TO CLAREMORRIS RAILWAY ORDER, 1890.

By the Lord Lieutenant and Privy Council in Ireland.

*ZETLAND.*

WHEREAS the Grand Jury of the County of Mayo, at the Summer Assizes, 1890, acting in execution of the powers vested in them by the Tramways (Ireland) Act, 1860, and the Tramways (Ireland) Amendment Act, 1861, and the Tramways and Public Companies (Ireland) Act, 1883, made the Presentment which is set out in the First Schedule to this order, and thereby approved of the construction of a Light Railway connecting Claremorris, in the County of Mayo, with Tuam, in the County of Galway, and partly situate in the County of Mayo, and partly situate in the County of Galway:

And whereas the Grand Jury of the County of Galway, at the Summer Assizes, 1890, disapproved of the application of the promoters for power to construct the said Light Railway:

And whereas the Athenry and Tuam Extension to Claremorris Railway Company, Limited, being the promoters of the said undertaking appealed against the disapproval of the Grand Jury of the County of Galway, pursuant to the provisions of section 7 of the Tramways (Ireland) Act, 1860, to the Lord Lieutenant in Council:

And whereas the Midland Great Western Railway Company of Ireland, and also certain ratepayers of the Baronies of Costello and Erris, in the County of Mayo, appealed to the Lord Lieutenant in Council against the herein-before recited approval of the undertaking by the Grand Jury of the County of Mayo:

And whereas the Lord Lieutenant has inquired into the grounds of such approval and disapproval by the said Grand Juries, respectively:

And whereas the Athenry and Tuam Extension to Claremorris Railway Company, Limited, being the promoters of the said undertaking, presented a memorial to the Lord Lieutenant in Council praying for an order to confirm the said Presentment of the Grand Jury of the County of Mayo:

And whereas a Provisional Working Agreement dated the 19th of September, 1890, has been duly entered into between the Waterford and Limerick Railway Company and the promoters in pursuance of the said presentment:

And it appears to the Lord Lieutenant in Council, notwithstanding such appeals, expedient to make the order following:—

Therefore it is ordered by the Lord Lieutenant General and General Governor of Ireland, by and with the advice of Her Majesty's Privy Council in Ireland, that the appeals of the Midland Great Western Railway Company of Ireland, and also of the said ratepayers of the Baronies of Costello and Erris, in the County of Mayo, against the approval of the undertaking by the

Grand Jury of the County of Mayo are hereby respectively disallowed, and the appeal of the promoters against the disapproval of the undertaking by the Grand Jury of the County of Galway is hereby allowed, and the making and maintaining of the said Light Railway is hereby authorised. A.D. 1890.

*Promoters.*

1. The Athenry and Tuam Extension to Claremorris Railway Company (Limited), shall be the promoters for the purposes of this Order, and the said Company and their assigns are in this Order referred to as the "promoters."

*Power to construct Line.*

2. The promoters may in conformity with the provisions of said presentment as to weight of rails, permanent way, gradients, stations, appliances, and conveniences, construct, maintain, and work, subject to the provisions of this Order and of the Acts incorporated herewith, the Light Railway described in the Second Schedule to this Order, in the directions and levels, with the powers of deviation (if any), specified and described in the plans, books of reference, and sections deposited by the promoters with the Secretaries of the Grand Juries of the Counties of Mayo and Galway, herein-after referred to as the "deposited plans," and in accordance with the terms and conditions of the presentment set forth in the Second Schedule hereto, with all proper rails, plates, offices, engine-houses, stables, carriage-houses, warehouses, works, and conveniences connected therewith, or for the purposes thereof.

The promoters shall erect stations at or near the following places, viz.:—Ballandine, Miltown, and Fartagar.

The rails shall be of steel and not less than 72 pounds to the yard, with proportionate permanent way, and there shall be no gradients greater than one in seventy on any part of the line. The whole line shall be constructed to the satisfaction of the Waterford and Limerick Railway Company, and all accommodation and appliances of every sort in relation to the undertaking which may be required in pursuance of the said working agreement before the taking over of the line, shall be supplied to the satisfaction of the County Surveyor of the county of Mayo. The Promoters (subject to the provisions of the said Acts), may by agreement or otherwise purchase, acquire, and hold all such lands and easements as may be necessary for the purposes of the said Light Railway, and any engine-houses, stables, carriage-houses, warehouses, and other buildings and works requisite for the working of the said Light Railway.

*Gauge and other Particulars.*

3. The gauge of the railway shall be 5 feet 3 inches, and the same where constructed as a Light Railway shall be worked subject to the regulations as to weight of locomotives, carriages, and vehicles, contained in section 28 of the Regulation of Railways Act, 1868, and to such further conditions and regulations as the Board of Trade may from time to time impose or m e under the provisions of said Act.

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*Compulsory Purchase of Lands.*

4. From and after the time when this Order becomes binding, the Promoters shall be empowered to put in force the provisions of the Lands Clauses Acts, with respect to the purchase and taking of lands otherwise than by agreement, with reference to the lands and premises within the limits of deviation in the said deposited plans.

The powers of compulsory purchase conferred by this Order shall not be exercised after the expiration of three years from the time when this Order becomes binding. The 42nd section of the Tramways (Ireland) Act, 1860, shall not apply to any lands required for the undertaking.

*Time for Completion.*

5. The Promoters shall complete and finish ready for use the said Railway, and shall provide the rolling stock mentioned in the Schedule to the agreement herein-after referred to, within three years from the date of this Order becoming binding.

*Confirmation of Presentment of Grand Jury.*

6. The presentment of the Grand Jury of the county of Mayo, which is set out in the Schedule to this Order, is hereby confirmed so far as it relates to the charge to be defrayed in perpetuity by the baronies constituting the entire county of Mayo for payment of dividends at the rate of 4 per centum per annum upon £98,000, the guaranteed paid-up capital of the undertaking as limited by this Order, and so far as it relates to the liability of the same baronies to provide for the completing, working, and maintaining of the undertaking.

*Limit of Guarantee.*

7. The capital to which the guarantee set out in the said Presentment shall apply is hereby limited to the sum of £98,000. The guarantee shall apply to so much of the capital so limited as is for the time being actually paid up. Such capital shall only be issued or called up as same is from time to time required for any of the purposes of this Order.

*Dividends.*

8. The dividends on the said capital of the Company shall be due and payable half yearly on every 1st day of May and 1st day of November, the first dividend to be paid on whichever of said days shall first occur after the said undertaking shall be fully completed, and taken over by the Waterford and Limerick Railway Company, and opened by them for public traffic.

*Appointment of Arbitrators.*

9. The Board of Trade shall on or before the 1st day of May or 1st day of November, whichever shall first occur after the opening of the said Light Railway for traffic, and from time to time afterwards as any vacancy shall occur, appoint for the same county the Arbitrators provided by the 6th Section of the Tramways and Public Companies (Ireland) Act, 1883, and the Promoters shall, on or before the 20th day of June and the 20th day of December in every year make out and deliver to the said Arbitrators an

account for the then preceding half-year, ending on the said 30th day of April or 31st day of October, showing the amount of the paid-up capital of the said undertaking, and a further account of all the receipts of every nature and kind for the then preceding half-year ending on the said 30th day of April or 31st day of October, arising in any manner from the said undertaking and the expenditure thereof, and the said arbitrators shall deliver their certificate in writing to the Secretary of the Grand Jury of said county before the 1st day of June and 1st day of December in each year, ascertaining and determining the amount in each half-year payable under said presentment by the said parts of baronies in respect of the said undertaking, and the said certificate shall be laid by the said Secretary before the Grand Jury of the said county at the Assizes next after he shall have received the same, and the sum mentioned in said certificate shall be presented for and raised and paid to the Promoters and applied by them in the manner provided by the 7th section of the said Act, in respect of the certificate therein mentioned.

*Representation of Baronies.*

10. The several baronies in the county of Mayo shall be represented in the direction and supervision of the affairs and finance of the Company, so far as it relates to said Light Railway in manner following:—Each barony in the said county shall, by resolution at Presentment Sessions held in and for the said barony next after confirmation of this Order in Council by Parliament, elect one director to hold office for such period as such resolution may direct, and may from time to time in each succeeding year by like resolution, fill up any vacancy in the office of such baronial director and appoint another, and each of such baronial directors shall represent the barony for which he is appointed in the direction or supervision of the affairs and finances of the Company, so far as relates to the said Light Railway.

11. Each barony in the said County of Mayo may appoint an auditor at Presentment Sessions with power to inspect the books of the Company relating to the said undertaking at reasonable times, and may from time to time fill any vacancy by such resolution in the office of such auditor, and appoint any other in his room.

12. The Promoters shall, in addition to the statutory deposit, lodge or invest in the names of the Secretary of the Grand Jury of the county of Mayo and of Frederick T. Lewin, Esq. (or such other person as the Grand Jury of the county of Mayo at any Assizes may appoint, should he, the said Frederick T. Lewin, for any reason be unable or unwilling to accept the trust), a sum equal to ten per cent. on the sum of £98,000; the said deposit or investment to be in debenture stock of any Railway Company approved by the Solicitor of the Grand Jury of the county of Mayo, or in any Government Stock, or in cash on deposit in the Bank of Ireland or with the National Bank, Limited; the said deposit or investment to be held as security for the completion of the undertaking, and upon the opening of the line for public traffic the said sum or investment and all interest accrued thereon shall be paid back to the Promoters; but in the event of the undertaking not being completed and opened within the time limited by this Order or the Act of Parliament confirming the same, then the said sum or investment shall be held in trust to make good to the

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county of Mayo all loss and damage theretofore caused by such non-compliance, and the surplus, if any, shall be paid back to the Promoters.

13. The remuneration of the directors of the Company, whether elected by the shareholders or appointed by the baronies, shall be £1 for each director for his attendance at board meetings, and the cost of his locomotion to attend such meeting. There shall be not less than one meeting in each quarter of the year, of which not less than one week's notice shall be given to each director, and the place of meeting shall be at such place as the directors from time to time may appoint.

*Treasury Guarantee.*

14. When in any half-year after the opening for traffic of the said Light Railways the said baronies have paid to the Company any sums in respect of guaranteed dividend, exclusive of any sum paid in respect of the completing, working, or maintainin of the undertaking, the Treasury shall, if and so long as the Railway is ma ntained in working order and carries traffic, authorise the Board of Works, out of moneys provided by Parliament, to pay to the Treasurer of the county, to be put to the account of the said baronies in the proportion of the sums paid by them, a sum amounting to one-half of the sums so paid by them in respect of guaranteed dividend, exclusive as aforesaid, during such half-year, but so, nevertheless, that the sum so authorised to be paid shall not exceed a sum equal to interest at the rate of 2 per cent. per annum on the paid-up capital, limited as aforesaid.

*Power to cross Roads.*

15. The Promoters may subject to the provisions of the Acts incorporated herewith and of this Order for the purposes of the said Railway and construction thereof, cross, alter or divert, temporarily or permanently, any roads, railways, streets, highways, streams, sewers, pipes, or other works. The Promoters shall not cross, alter, or divert, or in any way interfere with any telegraphic line of the Postmaster-General, except in accordance with and subject to the provisions of the Telegraph Act, 1878. The expression "Telegraphic Line" has the same meaning in this clause as in the Telegraph Act, 1878.

*Notice to County Surveyor.*

16. Before the Promoters commence to open or break up a street or high road, they shall give to the County Surveyor of the county in which such street or road is situate, notice of their intention to do so, such notice to be given forty-eight hours before the commencement of the work.

*Superintendence by County Surveyor.*

17. The Promoters shall not open or break up any street or road, save and except with the approval and under the superintendence of the said County Surveyor, unless he neglects or refuses to give such superintendence at the time specified in the notice of the Promoters, or discontinues the same during the work. The County Surveyor shall be paid by the Promoters such reasonable remuneration for the duties hereby imposed upon him as may be directed by the Lord Lieutenant by any general or special Order.

*Restoring Roads.*

18. The Promoters shall, after having opened or broken up a street or high road, with all convenient speed complete the work on account of which they opened or broke up the same, and (subject to the formation of the said Light Railway) fill in the ground, level and make good the surface, and generally restore the street or high road to as good a condition as that in which it was before it was opened or broken up, and clear away all rubbish occasioned thereby. They shall during such period as the street or the high road may be opened or broken up, cause the place where the street or high road is opened or broken up to be fenced and watched, and to be properly lighted at night.

*Alteration of Level of Roads*

19. If any authority having the control of any road or street along or across which any o the Light Railway authorized by this Order is laid hereafter alter the level of such road or street, the Promoters shall, from time to time, alter their rails, and lay them so that they shall not be a danger or annoyance to the ordinary traffic on the road or street.

*Expenses of Repairs.*

20. The Promoters shall pay all reasonable expenses of the repairs of the streets and high roads upon which they shall have constructed any part of the said Light Railway for six months after the same shall have been restored so far as those expenses are increased by the opening or breaking up of the street or road.

*Maintenance of Sidings and Rails.*

21. The Promoters shall, at their own expense, maintain and repair all sidings on which any of the said Light Railway shall be laid.

*Power to enforce Obligations of Promoters.*

22. In case the Promoters shall, at any time, fail or neglect to carry out any work of maintenance or repair imposed upon them by this Order after the expiration of four days from the service on them of a notice in writing by the County Surveyor or his assistants, it shall be lawful for any two magistrates of the county, without prejudice to any other remedy in that behalf, to order any work for maintenance or repair as aforesaid to be executed by the Promoters at their own expense within such time as the said magistrates shall direct, and in default thereof, it shall be lawful for the County Surveyor to cause said work to be executed, and the Promoters shall, on demand by the County Surveyor, pay to him all expenses incurred in the execution thereof.

*Right as to Roads.*

23. The Promoters shall not be deemed to acquire any right other than that of user only in the soil of any street or high road along or across which they may lay their Light Railway.

*Additional Powers as to Crossings and Works.*

24. The Promoters may, subject to the provisions of this order, from time to time make all such crossings, passing-places, sidings, junctions, and other works

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in addition to those particularly mentioned in the said deposited plans and sections as may from time to time be necessary or convenient for the efficient working of the said Railway, or for providing access to any stables, carriage-houses, engine-houses, warehouses, or works of the Promoters.

*Temporary Works.*

25. If and whenever it shall become necessary for the purpose of repair or other similar or temporary purposes to remove or close any part of the said Light Railway, the Promoters may lay down and maintain for the time necessary, but no longer, on some other part of the same Light Railway, or on an adjoining part of the road, a temporary Light Railway instead of the part removed or closed, and may maintain and use the same until the part so removed or closed is reinstated.

*Tolls.*

26. The Promoters shall be entitled to demand and take such tolls and charges as shall not exceed the maximum tolls and rates of charges which are specified in the Schedule to the Tramways (Ireland) Act, 1860, or any amendment thereof, or under any Act for the regulation of Railways.

*List of Tolls.*

27. A list of all the tolls and charges authorized to be taken shall be exhibited in a conspicuous place, upon the premises of the Company, at each station of the said Light Railway.

*Form of Rail.*

28. The form of rail wherever laid along or across the public road shall be approved by the said County Surveyor, but in the event of the promoters being dissatisfied with his decision they shall be at at liberty to appeal to the Board of Trade, whose decision shall be final.

*Roof Loading.*

29. No passengers nor goods shall be carried on the roof of any waggon or carriage except with the permission of the Board of Trade, and subject to any conditions which they may impose.

*Motive Power.*

30. The carriages used on the said Light Railway may, subject to the provisions of this order, be moved by animal power or steam power, or any mechanical power. The exercise of the powers hereby conferred with respect to the use of steam or any mechanical power shall be subject to any regulations which may be prescribed by any order which the Board of Trade may, and which they are hereby empowered to make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this order conferred with respect to the use of steam or any mechanical power on the Light Railway.

*Fences and Walls.*

31. Before the Light Railway shall be opened for traffic the promoters shall erect and complete all such new fences, railings, and walls, and strengthen, improve and alter all such existing fences, railings, or walls as the County Surveyor shall consider necessary to make the Light Railway, and any street or road in or along which the Light Railway shall be laid in such county safe for the use of the public, and shall thereafter maintain and keep the same in good order, repair, and condition, to the satisfaction of the County Surveyor for the time being for such county, and if in the construction of the said Light Railway any existing stone depôts shall be taken or rendered useless, the promoters shall construct an equal number of depôts of the same dimensions as those taken or rendered useless in such places as the said County Surveyor shall direct.

*Costs of Order.*

32. The costs, charges, and expenses of obtaining this order including the amount of any deposit required to be made under the said Acts or by this order, and the expenses incurred by the Grand Jury of the County of Mayo in relation thereto, shall be paid by the Promoters out of the paid-up capital of the Company.

*Keeping of Accounts.*

33. The promoters shall keep full true and distinct books of account showing the capital of the undertaking and its receipts from every source, and its expenditure, and they shall keep and preserve all receipts and other documents necessary for vouching same, and shall at all times produce the said books, receipts, and documents for the inspection of such person or persons as the Grand Jury of the County of Mayo may from time to time appoint to examine same, and also of such person or persons as the Treasury may from time to time appoint for the like purpose, and also of the arbitrators appointed pursuant to section 6 of the Tramways and Public Companies (Ireland) Act, 1883.

*Audit of Accounts.*

34. The accounts of the undertaking shall be audited once in each year, by some fit and proper person to be appointed from time to time for that purpose by the Grand Jury of the county of Mayo, and the Promoters shall produce for the inspection and examination of such auditor their books of account, and all receipts and documents necessary for vouching same, and supply the auditor with all such further information as may be reasonably required by him for the purpose of auditing the said accounts. The expenses of the audit shall be paid by the Promoters, and in case of difference as to their amount, they shall pay such sum in respect of the said expenses as may be fixed by the Lord Lieutenant by any general or special Order. It shall be the duty of the Grand Jury of the county of Mayo to appoint at each Spring Assizes an auditor for the purposes aforesaid, and the auditor shall, on or before the 15th May following his appointment, furnish a statement of the result of the audit, with a summary of the accounts of the undertaking since the last preceding audit to the Commissioners of Public Works in Ireland, and also to the Secretary of the said

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Grand Jury. In case an auditor dies or declines to act, or becomes incapable of acting, the Grand Jury may at any Assizes appoint another fit and proper person to be auditor in his place, who shall proceed to audit the accounts and to furnish the statements specified in this paragraph within a reasonable time after his appointment.

*Inspection of Works.*

35. It shall be the duty of the County Surveyor of the county of Mayo, once in each year or oftener, if he consider it necessary, to inspect the line, sidings, and other works, and the engines, rolling stock and plant of the undertaking, and to furnish to the Grand Jury of said county at the Summer Assizes, and also at the Spring Assizes, if he consider it necessary, a report as to the state of repair and condition of the said line, sidings, works, engines, rolling stock and plant, and as to such other matters in connexion therewith as he may think proper, and he shall furnish to the Board of Works a copy of every such report. He shall be paid for the said inspection and report such sum as the Lord Lieutenant may fix by general or special order.

*Arbitration.*

36. If any difference should arise between the Promoters and the County Surveyor concerning the placing of the said Light Railway, or opening or breaking up any street or road, or any of the matters referred to in paragraph 2 of this Order, the same shall be left to the arbitration of an Engineer to be appointed by the Board of Trade, and the Promoters shall pay the expenses of such arbitration.

*Confirmation of Working Agreement.*

37. The agreement of the 19th day of September, 1890, entered into between the Promoters and the Waterford and Limerick Railway Company pursuant to the terms of said Presentment, is hereby sanctioned, and the Waterford and Limerick Railway Company shall efficiently work, manage, and maintain said Light Railway in good order and condition upon the terms of said agreement.

*Miscellaneous Provisions.*

38. The Promoters may, subject to the approval of the Board of Trade, and to the provisions of said presentment, from time to time enter into contracts, agreements or arrangements with any other Company for the leasing, working, use, construction, interchange of traffic, management and maintenance of the undertaking and works, or any part or parts thereof, or for the supply of rolling stock, necessary machinery and apparatus for the working and use of the same, or to acquire running powers over the Railways or Tramways of any such other Company, or to grant similar running powers over the undertaking of the Promoters, upon such terms as may from time to time be agreed upon, and for the aforesaid purposes, or any of them, to lay down additional rails upon the authorised Tramway or Railway of any such Company, or any part thereof, or upon the Light Railways of the Promoters, and to enter into and carry into effect agreements in reference to such additional rails and the costs thereof.

*Junctions.*

39. The Promoters may from time to time, form junctions with the railways of the Midland Great Western of Ireland Railway Company, and of the Athenry and Tuam Railway Company within the limits of deviation shown on the deposited plans, subject to the provisions of the Railways Clauses Consolidation Act, 1863, which is hereby incorporated with this Order.

*Provisions for securing the Completion and Maintenance of the Undertaking, pursuant to the Tramways and Public Companies (Ireland) Act, 1883.*

40. The Promoters shall complete the undertaking within the time limited by this Order, and shall at all times efficiently work the undertaking, and shall at all times maintain and keep in good condition and repair, and so as not to be a danger or annoyance to the ordinary traffic of any road on which the rails of any of the Light Railways for the time being are laid, the said rails and the substructure upon which the same rest.

*Power to enforce Obligations of Promoters.*

41. In any case in which it is represented in writing to the Board of Trade by the Grand Jury of the county of Mayo, or by twenty ratepayers of any barony which is or which may become liable to make any payments on account of any baronial guarantee given in respect of such Railway or by the County Surveyor of the said county, that the Promoters have made any default in the completion, working or maintaining of the line, the Board of Trade may, if they think fit, direct an inquiry by an officer to be appointed by the said Board, such inquiry to be conducted in such manner as the Board of Trade may order, and if the Board of Trade certify that the default mentioned in such representation has been proved to the satisfaction of the said Board, the Promoters shall make good such default in the manner, and within the time specified in such certificate.

*Committee of Management.*

42. If at any time the Board of Trade report to the Lord Lieutenant that the Promoters have failed to comply with a certificate of the Board of Trade issued by the Board under this Order, the Lord Lieutenant may direct the Grand Jury of the said county to appoint a Committee of Management to complete or to manage and work and maintain the undertaking.

*Transfer of the Undertaking to the Grand Jury.*

43. If at any time the guaranteeing area has been called upon to pay and has paid any money for completing the undertaking, or have been called upon to pay and have continued to pay during a period of two years any money for maintaining or working the undertaking, then the undertaking and all the property of the Company connected with it shall become the property of the Grand Jury of the said county of Mayo, subject to any liabilities affecting such undertaking or property, and the Lord Lieutenant may thereupon order that the Grand Jury shall appoint a Committee of Management for the purpose of the undertaking.

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44. Every Committee of Management appointed under either of the last two sections of the Order shall be constituted in such manner and shall have such powers with reference to the undertaking as the Lord Lieutenant may order.

45. The Grand Jury of the county of Mayo shall from time to time present in advance or otherwise such sums as the Committee so appointed may estimate or report to be necessary for the purposes for which the Committee has been appointed, to be levied off the said baronies in the same proportion as their guarantee for dividends is fixed by said presentment. The members of the Committee shall be paid by the said Grand Jury out of the moneys to be levied off the same baronies such reasonable remuneration as the Lord Lieutenant may by general or special Order prescribe.

46. The Committee of Management shall apply the sums so presented in such manner as the Order of the Lord Lieutenant may prescribe. Pending the giving of the direction to appoint a Committee of Management, the Lord Lieutenant may direct the County Surveyor to do all such matters and things as a Committee of Management might do if appointed during such period as the Lord Lieutenant may direct.

*Grand Jury included in Definition of Promoters.*

47. If at any time the Light Railway becomes the property of the Grand Jury of the County of Mayo, or comes to be managed by a Committee of Management, appointed in accordance with this Order, the provisions of this Order shall so far as they are applicable apply to the Grand Jury of the said county as if such Grand Jury were the Promoters within the meaning of this Order.

*Provisions as to Repayment of Deposit.*

48. The provisions of Section 29 of the Tramways (Ireland) Act, 1860, as amended by the Tramways and Public Companies (Ireland) Act, 1883, shall apply to this Order, and be deemed incorporated herewith.

*Provision for Protection of the Postmaster-General as to Conveyance of Mails and Post Office Parcels.*

49. (1.) The provisions of the Railway and Canal Traffic Acts, 1873 and 1888, relating to the conveyance of Mails by Railway Companies (subject as hereinafter provided), and the provisions of the Post Office (Parcels) Act, 1882, shall respectively apply to the Promoters and to the said Light Railway, and for the purpose of those provisions the Promoters shall be deemed to be a Railway Company and the Light Railway a Railway.

(2.) Notwithstanding anything in any other Act contained, any difference between the Postmaster-General and the Promoters, as to the amount of the remuneration to be paid by the Postmaster-General to the Promoters for any services performed in relation to the Conveyance of Mails, other than Parcels as defined by the Post Office (Parcels) Act, 1882, shall be determined by the Railway and Canal Commission, which is hereby empowered to determine the

same in the manner provided by the Railway and Canal Traffic Acts, 1873 and 1888, with respect to differences between Railway Companies, and for this purpose the Postmaster-General shall be deemed to be a Railway Company.

*Provision for Protection of the Postmaster-General in the event of the Light Railway being worked by Electricity.*

50. In the event of the said Light Railway being worked by electricity, the following provisions shall have effect:—

(1.) The Promoters shall construct their electric lines and other works of all descriptions, and shall work their undertaking in all respects, with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General, and the currents in such telegraphic lines, and shall use every reasonable means in the construction of their electric lines and other works of all descriptions, and the working of their undertaking, to prevent injurious affection, whether by induction or otherwise, to such telegraphic lines or the currents therein. If any question arises as to whether the Promoters have constructed their electric lines or other works, or work their undertaking in contravention of this sub-section, such question shall be determined by arbitration, and the Promoters shall be bound to make any alterations, in or additions to their system which may be directed by the arbitrator.

(2.)—(*a.*) Before any electric line is laid down or any act or work for working the said light railway by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs, or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point), the Promoters or their agents, not more than twenty-eight nor less than fourteen days before commencing the work, shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work, including the gauge of any wire, and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

(*b.*) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.

(3.) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents, the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues, or if the telegraphic communication is wilfully interrupted, not exceeding fifty pounds for every day on which such interruption continues.

(4.) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section, if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of

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the work was required to avoid an accident or otherwise was a work of emergency, and that they forthwith served on the Postmaster or Sub-Postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice.

(5.) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is, whether through induction or otherwise, in any manner affected by such act or work or by any use made of such work.

(6.) For the purposes of this section and subject as therein provided, sections 2, 8, 9, 10, 11, and 12 of the Telegraph Act, 1878, 41 & 42 Vict., c. 76, shall be deemed to be incorporated with this Order as if the Promoters were undertakers within the meaning of those sections, without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted, and, in particular, nothing in this section shall be deemed to exclude the provisions of section 7 of the Telegraph Act, 1878, in relation to the matters mentioned in that section.

(7.) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act, 1882.

(8.) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party, whose decision shall be final, and sections 30 to 32, both inclusive, of the Regulation of Railways Act, 1868, 31 & 32 Vict., c. 119, shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.

(9.) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment, action, or otherwise, in relation to any of the matters aforesaid.

*Labouring Classes Dwellings.*

51. The Promoters shall not under the powers of this Order, without the consent of the Local Government Board for Ireland, purchase or acquire in any Urban Sanitary District as defined by "The Public Health (Ireland) Act, 1878," ten or more houses which after the passing of this Order have been or are occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "Labouring Class" includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

*Incorporation of Acts.*

52. The Lands Clauses Consolidation Act, 1845; the Railways Clauses Consolidation Act, 1845; the Railways Act (Ireland), 1851; the Railways Act (Ireland), 1860; the Lands Clauses Consolidation Acts Amendment Act, 1860; the Clearing Act (Ireland), 1860; part I. of the Companies Clauses Act, 1863; the Railway Clauses Consolidation Act, 1863; the Railways Act (Ireland), 1864; the Railways Traverse Act; the Regulation of Railways Act, 1868; and the Board of Trade Arbitration, &c. Act, 1874, shall subject to the provisions of the Tramways (Ireland) Acts be incorporated with this Order, except where the same are expressly varied by this Order. The provisions of the said Acts directing deposits to be made with Clerks of the Peace (except the provisions relative to access to the special Act) and with postmasters, and the provisions with respect to the crossing of roads and other interferences therewith (other than the provisions of the Railways Clauses Consolidation Act, 1845, Sections 65, 66, 67) and the provisions with respect to the use of locomotive engines or other moving power, not being animal power, are hereby excepted out of the incorporation herein-before made.

*Interpretation.*

53. In this Order the several words, terms, and expressions to which meanings are assigned by the Tramways (Ireland) Acts have the same meanings respectively.

Provided that in this Order the expression "the Light Railway" and the "Undertaking" shall mean respectively Light Railway and works and the undertaking authorised in this Order.

Provided also that in this Order the term "The Tramways (Ireland) Acts" means the Tramways (Ireland) Act, 1860; the Tramways (Ireland) Amendment Act, 1861; the Act 34 & 35 Vict., c. 114; the Act 39 & 40 Vict., c. 65; the Tramways (Ireland) Amendment Act, 1881; and the Tramways and Public Companies (Ireland) Act, 1883.

*Short Title.*

54. This Order may be cited for all purposes as the Athenry and Tuam Extension to Claremorris Railway Order, 1890.

Given at the Council Chamber, Dublin Castle, this 29th day of November, 1890.

Ashbourne, *C.* Hedges Eyre Chatterton.
West Ridgeway.

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First Schedule referred to in the foregoing Order.

6 & 7 Wm. IV., c. 116; 23 & 24 Vic., c. 152; 24 & 25 Vic., c. 102; 34 & 35 Vic., c. 114; 39 & 40 Vic., c. 65; 44 & 45 Vic., c. 17; 46 & 47 Vic., c. 43, sections 1 to 16.

County of Mayo Summer Assizes, 1890.

Whereas, the Athenry and Tuam Extension to Claremorris Light Railway Company, Limited, hereinafter called the Company, duly presented their

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memorial pursuant to the provisions of said Acts, or some of them, praying for an Order in Council authorising them to construct, maintain, and work the Light Railway, hereinafter called the undertaking, consisting of the Light Railway (described in the draft order to said memorial annexed) from Clare-morris, in the county of Mayo, to Tuam, in the county of Galway. And whereas, the Company duly made application to the Grand Jury of the county of Mayo to approve of the said undertaking, and to make a presentment in manner authorized by said Acts, and have duly complied with the requirements thereof. Now we, the Grand Jury of the county of Mayo, having duly inquired into the merits of the undertaking, and having duly heard all persons interested, present, approve, order, and direct as follows:—

1. We hereby approve of the said undertaking, and of the construction, working, and maintenance by the Company of the said Light Railway, in the directions and according to the levels specified and described in the plans, sections, and books of reference deposited with the Secretary of said Grand Jury.

2. A dividend at the rate of £4 per cent. per annum is hereby guaranteed and shall be paid half-yearly, in perpetuity, by the Baronies constituting the entire county of Mayo, viz.: Borrishoole (North and South), Carra, Clan-morris, Costello, Erris, Gallen, Kilmain, Murrisk, Tyrawley (all of which collectively are hereinafter called the Guaranteeing area), upon the share capital of the Company, for the time being paid-up capital, as defined by the Tramways and Public Companies (Ireland) Act, 1883, provided that the entire amount of such guaranteed capital shall not exceed the sum of £98,000 (ninety-eight thousand pounds), and that the Government subvention of two per cent. shall apply to the whole of said guaranteed capital.

3. The said guaranteed dividend shall not commence to accrue until the said undertaking shall be fully completed and taken over by the Waterford and Limerick Railway Company (hereinafter called the Waterford Company) and opened by them for public traffic.

4. Provided that if and whenever after the opening of such undertaking for public traffic, the net receipts of said undertaking (after deducting from the gross receipts the expenses of management of the Company, and the working and proper maintenance of the said Light Railway), shall amount to a sum equal to a dividend at the rate aforesaid upon the guaranteed capital of said Company, for the time being paid-up capital as aforesaid, then no sum shall be payable by the "guaranteeing area" in respect of any half-year in which there are net profits sufficient for and applicable to the payment of such dividend, and that if and whenever after the opening of said undertaking, as aforesaid, said net receipts shall not amount to a sum equal to a dividend, at the rate aforesaid, on said paid-up guaranteed capital, then the sums required to make up and pay such dividend on said paid-up guaranteed capital, shall become payable and be paid to the Company half-yearly by said "guaranteeing area."

5. If at any time default shall be made by said Company in completing, working, and maintaining such undertaking, the said "guaranteeing area"

shall contribute such sum or sums of money as may be necessary for such completion, working, and maintenance.

6. The proportions of the liabilities of the said Baronies, comprising said guaranteeing area on foot of this Presentment, shall be rateable according to the respective valuations of said Baronies, respectively.

7. Each Barony of said County shall by resolution at Presentment Sessions held in and for said Barony next after the confirmation of this Presentment, by Order in Council, elect one director to hold office for such period as such resolution may direct, and may from time to time in each succeeding year, by like resolution, fill up any vacancy in the office of such Baronial Director and appoint another, and each of such Baronial Directors shall represent the Barony for which he is appointed in the direction or supervision of the affairs and finances of the Company so far as relates to the said Light Railway.

8. The Promoters shall, in addition to the statutory deposit, lodge or invest in the names of the Secretary of the Grand Jury of the County of Mayo, and of Frederick T. Lewin, Esq. (or such other person as the Grand Jury of the County of Mayo at any assizes may appoint, should he, the said Frederick T. Lewin, for any reason be unable or unwilling to accept the trust) a sum equal to ten per cent. on the sum of £98,000 (being the sum hereby guaranteed) the said deposit or investment to be in debenture stock of any railway company approved of by the solicitor of the Grand Jury of the County of Mayo, or in any Government Stock, or in cash on deposit in the Bank of Ireland, or with the National Bank, Limited, the said deposit or investment to be held as security for the completing of the undertaking, and upon the opening of the line for public traffic, the said sum or investment, and all interest accrued thereon, shall be paid back to the Company; but in the event of the undertaking not being completed and opened for public traffic within the time limited by the Order in Council or Act of Parliament confirming same, then the said sum or investment shall be held in trust to make good to the County of Mayo all loss and damage therefore caused by such noncompliance, and the surplus (if any) shall be paid back to the Company.

9. Before the application for confirmation of this presentment is heard before the Privy Council, a provisional working agreement shall be entered into between the Company and the Waterford and Limerick Railway Company (hereinafter called the Waterford Company), which said agreement shall contain stipulations to the following effect, viz.:—that the Waterford Company shall for a term not less than twenty years work and maintain the said undertaking at or for a sum of fifty per cent. of the gross receipts of the undertaking, the balance of fifty per cent., subject to the proviso hereinafter contained, to be paid to the Company, and applied, subject to the provisions of the Tramways and Public Companies (Ireland) Act, 1883. Provided, always, such agreement shall contain a covenant on the part of the Waterford Company that the sum so to be paid by the Waterford Company to the Company shall not in any half year be less than £51 (fifty-one pounds) per week, and provided also that such agreement shall contain a condition that in any half year

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that fifty per cent. of the gross receipts shall exceed the sum required for the payment of the dividend at the guaranteed rate upon the said guaranteed capital of the Company, as aforesaid, for the time being paid-up, and the expenses of the management of the undertaking, and any money that shall in any previous year have been contributed by the Baronies under this presentment, or for maintaining or working the undertaking, then the Waterford Company shall only pay such sum as may be requisite for the payment of such guaranteed dividend, expenses, and money, as aforesaid, and may retain the balance of the fifty per cent. for their own use.

10. The remuneration of said Directors shall be one pound to each Director for his attendance at Board meetings, and the cost of his locomotion to attend such meeting. There shall not be less than one meeting each quarter of the year, of which not less than one week's notice shall be given to each Director, and the place of meeting shall be at such place as the Directors from time to time may appoint.

11. Should the whole or any part of said sum of £98,000, the dividend whereof is hereby guaranteed, be advanced by the Board of Works at any rate of interest less than four per cent., then the guaranteeing area shall have the full benefit of and be credited as between it and the Treasury with any saving of interest effected by such public loan.

12. The rails shall be steel and not less than 72 pounds to the yard with proportionate permanent way, and there shall be no gradients greater than one in seventy on any part of the line, the whole line to be constructed to the satisfaction of the Waterford Company, and all accommodation and appliances of every sort in relation to the undertaking which may be required in pursuance of said working agreement, before the taking over of the line, shall be supplied to the satisfaction of the County Surveyor of the County of Mayo.

13. The Company shall erect stations at or near the following places, viz.:—Ballindine, Miltown, and Fartagar.

14. Each Barony in the guaranteeing area may appoint an auditor at Presentment Sessions, if they think fit, with power to inspect the books of the Company relating to the said undertaking, at reasonable times, and may, from time to time, fill any vacancy by such resolution in the office of such auditor, and appoint any other in his room.

For self and fellows,
C. J. KNOX-GORE,
*Foreman.*

14th July, 1890.

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SECOND SCHEDULE referred to in the foregoing Order.

*Description of the Light Railway.*

A Railway commencing by a junction with the Athenry and Tuam Railway, at the present termination of same, in the Townland of Tirboy, Parish of Tuam, and County of Galway, and thence through the Townland of Townparks Second and Townparks First Division, through Killaloonty, Halfstraddle, Airgloony,

in the Parish of Tuam; Carrowmacowan, Tonlegee, Mullagh, Pollacorragune, Cloonascragh, Fartagar, Sylaun, Claureen, Fartamore, Lissaleen, in the Parish of Kilbennan; Liskeevy and Carrownurlaur, in the Parish of Liskeevy; Ummeracly West, Ummeracly East, Cartron, Poolaturick, Gortnaloura, Killerneen, Drum, Gortnagunned, Cloonrane, and Illaun, in the Parish of Addergoole, in the County of Galway; Newtown South, Newtown North, Ballindine West, Ballindine North, Esker East, Carrowlena, Skehavaud, Poolnasillagh, Garryduff West, Garryduff North, Castlemagarrett North, and Rushbrook East, in the Parish of Crosboyne; Lisduff, Carrowkilleen, and Clare, in the Parish of Kilcolman, and the County of Mayo, and terminating by a junction with the Great Northern and Western Railway (now amalgamated with the Midland Great Western of Ireland Railway) at a point between the rails opposite the entrance to passenger platform of Claremorris Station.

# Tramways Order in Council (Ireland) (Athenry and Tuam Railway).

A

# B I L L

To confirm an Order in Council of the Lord Lieutenant and Privy Council in Ireland relating to the Athenry and Tuam (Extension to Claremorris) Railway.

(*Prepared and brought in by Mr. Attorney-General for Ireland and Mr. Jackson.*)

*Ordered, by* The House of Commons, *to be Printed*, 8 *December* 1890.

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[*Price* 2½*d.*]

[Bill 157.]

A

# B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Bradford and Wyke Tramway, Church and Oswaldtwistle Tramways, and Matlock Tramway. A.D. 1891.

WHEREAS under the authority of the Tramways Act, 1870, the Board of Trade have made the several Provisional Orders set out in the schedule to this Act annexed:

And whereas a Provisional Order made by the Board of Trade under the authority of the said Act is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Act, and set out in the schedule to this Act annexed, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

**1.** This Act may be cited as the Tramways Orders Confirmation (No. 1) Act, 1891. Short title.

**2.** The several Orders as amended and set out in the schedule to this Act annexed shall be and the same are hereby confirmed; and all the provisions thereof, in manner and form as they are set out in the said schedule, shall, from and after the passing of this Act, have full force and validity, and the dates of the same respectively shall be the date of the passing of this Act. Confirmation of Orders in schedule.

**3.** The Promoters mentioned in the said Orders shall not, in the exercise of the powers of this Act, or of the said Orders, without the consent of the Local Government Board, purchase or acquire in Protection of houses of labouring classes.

A.D. 1891.

any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which, after the passing of this Act, have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

## SCHEDULE.

### LIST OF ORDERS.

Bradford and Wyke Tramway.—Order authorising the construction of a Tramway in the Townships of North Bierley and Wyke, in the Parishes of Bradford and Birstall, in the West Riding of the County of York.

Church and Oswaldstwistle Tramways.—Order authorising the construction of Tramways in the Districts or Townships of Church and Oswaldtwistle, in the Parish of Whalley, in the County of Lancaster.

Matlock Tramway.—Order authorising the construction of a Tramway in the Parish of Matlock, in the County of Derby.

## BRADFORD AND WYKE TRAMWAYS.

A.D. 1891.

*Bradford and Wyke.*

*Order authorising the Construction of a Tramway in the Townships of North Bierley and Wyke, in the Parishes of Bradford and Birstall, in the West Riding of the County of York.*

Short title.

1. This Order may be cited as the Bradford and Wyke Tramway Order, 1891.

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the Promoters of the undertaking), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are inconsistent with or expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order, meanings are assigned, have in this Order the same respective meanings: Provided that in this Order the expression "the local board" shall mean the local board for the district of North Bierley, in the parish of Bradford, in the West Riding of the county of York; and the expressions "the tramway" and "the undertaking" shall mean respectively the tramway and works and the undertaking by this Order authorised.

*Promoters.*

The Promoters.

4. The Bradford and Wyke Tramways Company, Limited, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may by agreement from time to time purchase, take on lease, and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell, let, or dispose of any such lands which may not be necessary for such purposes, provided that they shall not at any time hold for such purposes more than five acres of land, but nothing in this Order shall exonerate the Promoters from any indictment, action, or other proceeding for nuisance in the event of any nuisance being caused by them upon lands taken under the powers of this section.

*Construction of Tramway.*

Construction of tramway.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order at the office of the Board of Trade (in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramway herein-after described, with all proper rails, plates, curves, points, offices, weigh-bridges, carriage-houses, engine-sheds, warehouses, works, and conveniences connected therewith, or for the purposes thereof, and may work and use the same.

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*Bradford and Wyke.*

The tramway authorised by this Order will be situate in the townships of North Bierley and Wyke, in the parishes of Bradford and Birstall, and will be wholly in the West Riding of the county of York, and is as follows:—

A main line of tramway 1 mile 5 furlongs 8·40 chains in length, of which 1 mile 4 furlongs and 5·35 chains are single and 1 furlong 3·05 chains are double line, commencing in the district or township of North Bierley, in the parish of Bradford, in the West Riding of the county of York, by a junction with the existing line of the Bradford and Shelf Tramways, in the Bradford and Halifax Road, at a point in the said road opposite the centre of Pearson Road, at Odsal Top, passing thence in a southerly direction along the Huddersfield Road, through Lowmoor, New Road Side, and Storr Hill, and into and along Town Gate, and terminating at Upper Wyke, in the township of Wyke, in the parish of Birstall, in the said West Riding of the county of York, at a point in the said Town Gate 10 yards south of the north-east corner of the Temperance Hall.

The tramway shall be laid as a single line throughout, except at and between the following points, where it shall be laid as a double line, namely:—

For a length of 3·35 chains in the Huddersfield Road, commencing at a point 300 yards south of the south corner of the Coll Hotel, and terminating 3·35 chains south of that point.

For a length of 3·35 chains in the Huddersfield Road, commencing at a point opposite the centre of Common Road, Lowmoor, and terminating 3·35 chains south of that point.

For a length of 3·35 chains in the Huddersfield Road, commencing at a point 200 yards north of the centre of Hollin Hall Lane, at New Road Side, and terminating 3·35 chains south of that point.

For a length of 3 chains in the Huddersfield Road and Town Gate at Upper Wyke, commencing at a point in the Huddersfield Road 78 yards north of the north-west corner of the Temperance Hall, and terminating in the Town Gate 12 yards north of the north-east corner of the Temperance Hall.

Gauge of tramway.

7. The tramway shall be constructed on a gauge of four feet, provided always that so much of section 34 of the Tramways Act, 1870, as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage, shall not apply to carriages used on the tramway, but no engine or carriage used on the tramway shall, except with the consent in writing of the Board of Trade, exceed six feet six inches in width.

Provisions as to construction of tramway.

8. In addition to the requirements of section 26 of the Tramways Act, 1870, the Promoters shall, at the same time as they give notice to the road authority of their intention to open or break up any road for the purpose of constructing, laying down, maintaining, or renewing the tramway, lay before the Board of Trade and the road authority a plan and section showing the proposed mode of constructing, laying down, maintaining, and renewing the tramway, and a statement of the materials intended to be used therein, and the Promoters shall not commence the construction, laying down, maintenance, or renewal of the tramway or any part of the tramway except for the purpose of necessary repairs until such plan, section, and statement have been approved by the Board of

Trade and the road authority, and after such approval the works shall be executed in accordance in all respects with such plan, section, and statement, and under the superintendence and to the reasonable satisfaction of the surveyor of the road authority, as provided by section 26 of the said Act.

As to rails of tramway.

9. The rails of the tramway shall be such as the Board of Trade may approve, and the Board of Trade may from time to time, upon the application of the road authority of any district, in which the tramway or any portion thereof is situate, require the Promoters, to adopt and apply such improvements in the tramway within such district, including the rails thereof, as experience may from time to time suggest, having regard to the greater security of the public and advantage to the ordinary traffic, and the Promoters shall, with all reasonable despatch, comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Promoters not to stop, &c. roads in local board district.

10. The Promoters shall not, in the construction, alteration, or relaying of any part of the tramway, stop up or interfere with any road within the district of the local board so as to prevent the passage of traffic along such road, nor alter the level of the surface of any road or any part thereof within the said district, except with the previous consent in writing of the local board.

Penalty for not maintaining rails and road in good condition.

11. The Promoters shall at all times maintain and keep in good condition and repair, and so as not to be a danger or annoyance to the ordinary traffic, the rails of which the tramway for the time being consists, and the substructure upon which the same rest, and if the Promoters at any time make default in complying with this provision or with any of the requirements of section 28 of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered in such manner as by section 56 of the said Act is provided. In any case in which it is represented in writing to the Board of Trade by the road authority of any district in which the tramway or any part thereof is situate or by twenty inhabitant ratepayers of such district, that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inspection by an officer to be appointed by the said Board, and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report, certified by the Board of Trade, may be adduced as evidence of such default and of the liability of the Promoters to such penalty or penalties in respect thereof as is or are imposed by this section.

Additional crossings may be made where necessary.

12. The Promoters may, subject to the provisions of this Order, from time to time make, maintain, alter, and remove all such crossings, passing-places, sidings, triangles, junctions, and other works in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient for the efficient working of the tramway, or for providing access to any stables, engine-houses, carriage-houses, sheds, or works of the Promoters subject to the approval of the road authority, provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side

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*Bradford and Wyke.*

of the road, if any owner or occupier of any house, shop, or warehouse abutting on the place where such rail is proposed to be laid, by notice in writing under his hand addressed to the Promoters, express his objection thereto. Provided also that the number and situation of such crossings, passing places, sidings, junctions, triangles, and other works shall be determined by the road authority, and if any difference arise between the Promoters and the road authority with respect to the number or situation of any such crossings, passing places, sidings, junctions, triangles, or works the same shall be settled in the manner specified in section 33 of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

If any crossing, passing place, siding, junction, triangle, or other work so made with the approval of the road authority, or any part thereof, is subsequently objected to by the road authority, the road authority may, by written notice to the Promoters, require them to remove the same, and if the road authority so think fit, to remake or relay the same in some other position to be specified in the notice, and the Promoters shall comply with such requirement.

Tramway to be kept on level of surface of roads.

13. If any road authority hereafter alter the level of any road along or across which the tramway or any part thereof is laid or authorised to be laid the Promoters shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Temporary tramways may be made when necessary.

14. Where by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid it is in the opinion of the road authority necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof the Promoters shall within fourteen days of receiving a notice in writing to that effect from the road authority discontinue or take up the tramway or such part thereof temporarily for such term as may be necessary for the execution of such works. Provided that the execution of such works shall be conducted as expeditiously as possible, and that the Promoters may, with the consent of the road authority, subject to such conditions and in accordance and in all respects with such regulations as the road authority may from time to time make, construct on the same or any adjacent road, and with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain so long as occasion may require, a temporary tramway in lieu of the tramway, or part of the tramway, so removed or discontinued. If any difference arises between the Promoters and any road authority with respect to the reasonableness of any conditions or regulations, or with respect to the mode of constructing any temporary tramway under the authority of this section, the same shall be settled in the manner specified in section 33 of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Local authority to have access to sewers, &c.

15. Every local authority and their officers and servants shall have at all times free access to and communication with all existing and future sewers and drains (whether public or private) under the control of or maintained or repaired by the local authority, and the manholes, ventilating shafts, and other works in connexion therewith, and shall have power, without the consent or concurrence of the Promoters, to construct any new or additional public or private sewers or drains and any manholes, ventilating shafts, or other works connected therewith,

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and any lateral or private drains communicating therewith, and the provisions contained in sections 32 and 33 of the Tramways Act, 1870, shall be applicable to the case of any such sewers, drains, or works as aforesaid as though the same were pipes for the supply of gas or water. Provided always that if at any time after the passing of the Act confirming this Order any such sewers or drains (whether public or private) or any other works of or belonging to or under the control of the local authority, shall be or become injured or damaged by reason or in consequence of any act, deed, matter, or thing of or by the Promoters or their servants, it shall be lawful for the local authority immediately thereupon or at any time thereafter at the cost, expense, and risk of the Promoters, to do what the local authority shall deem necessary in order to the thorough and efficient reinstatement of such sewer, drain, or other work as aforesaid, and if the Promoters shall not on demand pay the local authority the cost and expense incurred by them as aforesaid, the local authority may recover the same from the Promoters by all and the same means as any simple contract debt of like amount may be recovered.

Application of road material excavated in construction of tramway.

16. Any paving, metalling, or material excavated by the Promoters in the construction of the tramway from any road under the jurisdiction or control of any road authority may be applied by the Promoters, so far as may be necessary, in or towards the construction of the tramway or in or towards the reinstating of such road and the maintenance for six months after completion of the tramway within the district of such road authority of so much of the roadway of such road on either side of such tramway as the Promoters are by section 28 of the Tramways Act, 1870, required to maintain, and the Promoters shall if so required deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person as he may appoint to receive the same, and at such places by the side of such road as such surveyor shall direct. Provided that all paving, metalling, or material excavated from any road by the Promoters in the construction of the tramway in the district of the local board which shall not be required by the Promoters for the construction of the tramway or for the reinstating of such road shall vest in and belong to the local board, and may be dealt with, removed, and disposed of by them in such manner as they think fit.

Powers of local board with respect to laying down mains, &c., reserved.

17. Nothing contained in this Order shall interfere with the exercise by the local board of the powers, rights, and privileges conferred upon them by any Act or Acts of Parliament, of laying down, maintaining, and as the case may require of repairing, altering, removing, or replacing any mains, pipes, or other works in or under any of the roads or thoroughfares upon which the tramway or any part thereof may be laid under the authority of this Order.

Tramway not to be opened until certified by Board of Trade

18. The tramway shall not be opened for public traffic until the same has been inspected and certified to be fit for such traffic by the Board of Trade.

*Motive Power.*

Carriages on tramway may be moved by animal, steam,

19. The carriages used on the tramway may, subject to the provisions of this Order, be moved by animal power, and with the consent in writing of the Board of Trade during a period of seven years from the time specified in such consent,

A.D. 1891.

*Bradford and Wyke.*

and with the like consent during such further periods not exceeding seven years as the said Board may from time to time specify in any order to be signed by a secretary or an assistant secretary of the said Board, by steam power, electrical power, or any mechanical power.

electrical, or mechanical power.

Provided always that the exercise of the powers hereby conferred with respect to the use of steam, electrical, or any mechanical power shall be subject to the regulations set forth in the Schedule A to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may, and which they are hereby empowered to make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of steam, electrical, or any mechanical power on the tramway.

Penalty for using steam, electrical, or mechanical power contrary to Order or regulations.

20. The Promoters or any person using steam, electrical, or any mechanical power on the tramway contrary to the provisions of this Order or to any of the regulations set forth in the Schedule A to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall, for every such offence, be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues after conviction therefor; provided always that whether any such penalty has been recovered or not, the Board of Trade, in case, in their opinion, the Promoters, or any person using steam, electrical, or any mechanical power on the tramway under the authority of this Order, have or has made default in complying with the provisions of this Order, or with any of the regulations set forth in the Schedule A to this Order annexed, or with any regulation which may have been added thereto or substituted therefor as aforesaid, may by order direct the Promoters or such person to cease to exercise the powers aforesaid, and thereupon the Promoters or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same or any of the same unless with the authority of the Board of Trade, and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws by Board of Trade.

21. Subject to the provisions of this Order the Board of Trade may from time to time make, and when made may rescind, annul, or add to byelaws with regard to the tramway on which steam, electrical, or any mechanical power may be used under the authority of this Order, for all or any of the following purposes, that is to say :—

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine.

For regulating the emission of smoke or steam from engines used on the tramway.

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places, and in such cases of horses being frightened, or of impending danger, as the Board of Trade may deem proper for securing safety.

For regulating the entrance to, exit from, and accommodation in the carriages used on the tramway, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages.

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramway by exhibition of the same in conspicuous places on the carriages and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

Further powers to local board as to regulations and byelaws.

22. The powers of the local board as the local authority under section 46 of the Tramways Act, 1870, with respect to the making of regulations and byelaws as to the matters and for the purposes in the said section mentioned, and with respect to the repeal or alteration of such regulations and byelaws, shall, subject to the provisions of this Order, and of any byelaw made by the Board of Trade under the authority of this Order, extend and apply to regulations and byelaws for regulating the use of the bell, whistle, or other warning apparatus fixed to any engine used on the tramway within their district.

As to recovery of penalties.

23. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Order, and to any penalty for non-observance of any byelaw made under the authority of this Order.

Amendment of Tramways Act 1870 as to byelaws by local authority.

24. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway, shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by this Order, or by any regulation made by the Board of Trade under the authority of this Order, at which engines and carriages are to be driven or propelled on the tramway under the authority of this Order, but the local authority may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed.

25. All orders and byelaws made and consents, approvals, and certificates given by the Board of Trade under the authority of this Order shall be signed by a secretary or an assistant secretary of the Board of Trade, and when purporting to be so signed, the same shall be deemed to have been duly made or given in accordance with the provisions of this Order, and to be orders and regulations within the meaning of the Documentary Evidence Act, 1868, and may be proved accordingly.

As to contracts with road authorities where mechanical power is used.

26. Where the Promoters or any person intend or intends to use steam, electrical, or any mechanical power under the authority of this Order on the tramway, or any part thereof, they or he shall give two months previous notice in writing of such intention to every road authority within whose district the tramway or such part thereof upon which they or he intend or intends to use such power is situate.

Where at the time of giving any such notice any contract, agreement, or arrangement between the Promoters or such person and such road authority is in force with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the tramway or such part of the tramway is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such

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user paving and keeping in repair of such road, then and in every such case with the consent of the Board of Trade it shall be lawful for the Promoters or such person by such notice, or for such road authority by notice to be served upon the Promoters or such person not later than forty days after the receipt by such road authority of such first-mentioned notice to determine such contract, agreement or arrangement, and thereupon such contract, agreement, or arrangement, shall from and after the commencement of the use of steam, electrical, or any mechanical power upon the tramway, or such part thereof, be determined and of no effect.

Before using steam, electrical, or any mechanical power on the tramway or any part thereof and thereafter from time to time the Promoters or such person and every such road authority may enter into or renew, with or without modification, any contract, agreement, or arrangement, with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the tramway or such part of the tramway is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user paving and keeping in repair of such road which they may think fit, and the Board of Trade may approve.

In case any difference arises between any such road authority and the Promoters or such person as to the determination of any such contract, agreement, or arrangement, or in case any such road authority after request in writing by the Promoters or such person, or the Promoters or such person after request in writing by any such road authority during a period of one month after such request, refuse or fail to enter into any such contract, agreement, or arrangement, or to renew the same with or without modification, or to make a new contract instead thereof, or in case of any difference as to the terms of any such contract, agreement, or arrangement, or any renewal thereof, with or without modification or any new contract instead thereof, then and in every such case the difference with respect to such determination or the reasonableness of such refusal or failure or the terms of such contract, agreement, or arrangement, or any renewal thereof with or without modification or any new contract instead thereof shall from time to time on the appeal of either of the parties to the Board of Trade be determined in manner provided by the Tramways Act, 1870, with respect to differences between the Promoters and any road authority, and thereupon the parties shall in all respects conform to such determination and make and observe any contract, agreement, or arrangement thereby prescribed, provided always that while any such appeal is pending the Board of Trade may order that no steam, electrical, or mechanical power shall be used on the tramway or the part thereof to which such appeal relates.

No steam, electrical, or mechanical power shall be used on the tramway or any part of the tramway unless there is in force in relation to the tramway or such part of the tramway a contract, agreement, or arrangement in accordance with the provisions of this section.

Any moneys which may from time to time be received by such road authority under any contract, agreement, or arrangement in accordance with the provisions of this section shall be applied by them towards the expenses of repairing, improving, and maintaining the highways within their district having regard in

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the first instance to the requirements of the roads upon which the tramway is laid.

Where steam, electrical, or mechanical power is used contract with road authority not to be for longer than two years at a time.

27. Where steam, electrical, or any mechanical power is used by the Promoters or any person on the tramway or any part thereof, no contract, agreement, or arrangement made before or after the commencement of the use of steam, electrical, or mechanical power as aforesaid between the Promoters or such person and any road authority with respect to the user by the Promoters or such person or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the tramway or such part of the tramway is laid or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user paving and keeping in repair of such road shall continue in force for any period exceeding two years at any one time after the commencement of the use of steam, electrical, or mechanical power as aforesaid, or the making of such contract, agreement, or arrangement. Provided always that any such contract, agreement, or arrangement may from time to time be renewed with or without modification, or a new contract, agreement, or arrangement may be made instead thereof.

*Traffic upon Tramway.*

Traffic upon tramway.

28. The tramway may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Railway carriages not to be used.

29. No carriages adapted for use upon railways shall be used upon the tramway.

Promoters not bound to carry goods, parcels, &c.

30. The Promoters shall not be bound to carry, unless they think fit, any animals, goods, minerals, or parcels other than passengers' luggage, not exceeding twenty-eight pounds in weight.

Provision as to carriage of animals, goods, &c. in separate carriages.

31. In case the Promoters carry animals, goods, minerals, or parcels they may, and when required by the local authority shall, carry the same in separate carriages or separate parts of carriages set apart for that purpose. Provided that this provision shall not apply to the carriage of passengers' luggage.

Powers of local board to suspend traffic on tramway.

32. The local board shall have power at any time and from time to time, by giving twenty-four hours' previous notice in writing to the Promoters, to absolutely stop, delay, or suspend the working of the tramway on any of the roads within the district of the local board for the execution of any works by the local board, or for any reasonable purpose which the local board in the exercise of their powers for the good government of the said district deem necessary, such stoppage, delay, or suspension to continue only as long as may be reasonably necessary for the purposes aforesaid, or any of them, and the Promoters shall not be entitled to claim, nor shall the local board be liable to pay any compensation or damages in respect thereof.

Promoters to remove snow and other matters impeding the traffic on the tramway.

33. The local board may cleanse any road within their district without reference to the tramway, but whatever cleansing, owing to snow or other matter impeding the traffic, is requisite for the proper working of the tramway shall be executed by the Promoters, who shall in performing the same remove the snow

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or other matter from off the centre of the road into the channel at the side thereof. Any dirt or other material or thing removed by the Promoters, their officers or servants, from the grooves of the tram rails shall not be allowed to remain on the road, but shall be at once taken away by the Promoters.

Provisions for mutual running powers in connection with Bradford and Shelf tramways.

34. The Promoters shall, subject to the provisions of this Order, if and when and as required by the local board or the owners for the time being of such portion of the tramways constructed under the authority of the Bradford and Shelf Tramways Order, 1885, as is within the district of the local board and not within the borough of Bradford (which portion of tramways is in this section referred to as "The North Bierley Tramways"), permit all necessary and convenient junctions and communications to be made and maintained between the tramway and the North Bierley tramways; and the Promoters and the owners for the time being of the North Bierley Tramways shall each respectively, if required by the other, grant to each other and their respective assigns and lessees, and, subject as hereinafter mentioned, may exercise reasonable running powers and traffic facilities over and on the North Bierley Tramways and the tramway respectively.

The powers conferred by this section shall not be exercised until the terms, conditions, and regulations to which the Promoters and the local board or such owners and their assigns and lessees respectively, shall be subject in respect of such running powers and traffic facilities, and the tolls or other considerations to be paid by them for the same have been respectively agreed upon between the Promoters on the one hand and the local board or such owners on the other hand, or determined as hereinafter provided, and such terms, conditions, and regulations, and such tolls or other considerations shall, if not agreed upon between the Promoters and the local board, or such owners, be from time to time determined by an arbitrator to be appointed and acting in pursuance of section thirty-three of the Tramways Act, 1870. Provided always that such terms, conditions, and regulations shall in every case be subject to the approval of the Board of Trade.

The Promoters and every company or person in using or traversing the North Bierley Tramways and the tramway respectively, in accordance with the provisions hereinbefore contained, shall at all times observe the regulations and byelaws for the time being in force on the North Bierley Tramways, and on the tramway respectively, so far as the same shall be applicable to the Promoters or to such company or person respectively in the exercise of the said powers, and shall for their own acts and defaults in respect of such user respectively incur all and the same liabilities as the owners or lessees of the North Bierley Tramways and of the tramway respectively.

Provided always that nothing in this Order contained shall apply to or affect any of the tramways within the borough of Bradford, and that nothing in this Order or in the Bradford and Shelf Tramways Order, 1885, contained, shall authorise the local board to place or run carriages upon any tramway, and to demand and take tolls and charges in respect of the use of such carriages.

*Tolls.*

Tolls for passengers.

35. The Promoters may demand and take, for every passenger travelling upon the tramway or any part thereof, including tolls and charges for the use of the

tramway, and of carriages, and for motive power and every other expense incidental to such conveyance, any tolls or charges not exceeding one penny per mile (and for this purpose the fraction of a mile beyond an integral number of miles shall be deemed a mile), but the Promoters may charge for any less distance than two miles any sum not exceeding twopence.

Passengers' luggage.

36. Every passenger travelling upon the tramway may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof; all such personal luggage to be carried by hand, and at the responsibility of the passenger, and not to occupy any part of a seat, nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

37. The Promoters at all times after the opening of the tramway, or any part thereof, for public traffic, shall, and they are hereby required to run at least one carriage each way every morning in the week, and every evening except Saturday evening in the week (Sundays, Christmas Day, and Good Friday, always excepted) at such hours, not being later than seven in the morning, or earlier than five in the evening respectively, as the Promoters think most convenient, for artisans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (the Promoters nevertheless not being required to take any fare less than one penny), provided that in case of any complaint made to the Board of Trade as to the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time.

Tolls for animals, goods, &c.

38. The Promoters may demand and take in respect of any animals, goods, minerals, or parcels conveyed by them on the tramway, or any part thereof, except as is by this Order specially provided, including the tolls and charges for the use of the tramway, and for waggons or trucks, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding the tolls and charges specified in the Schedule B to this Order annexed, subject to the regulations in that behalf therein contained.

Payment of tolls.

39. The tolls and charges by this Order authorised shall be paid to such persons and at such places upon or near to the tramway, and in such manner and under such regulations as the Promoters may, by notice to be annexed to the list of tolls and charges, appoint.

Periodical revision of tolls.

40. If at any time after three years from the opening for public traffic of the tramway or any portion of the tramway, or after three years from the date of any order made in pursuance of this section in respect of the tramway, or any portion of the tramway, it is represented in writing to the Board of Trade by the local authority of any district in which the tramway or such portion of the tramway is wholly or partially situate, or by twenty inhabitant ratepayers of any such district, or by the Promoters, that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on the tramway, or on such portion of the tramway, should be revised, the Board of Trade may, if they think fit, direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act, 1870, and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order

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in writing, altering, modifying reducing or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramway, or on such portion of the tramway, in such manner as they think fit, and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section, provided always that the tolls and charges prescribed by any such order shall not exceed in amount the tolls and charges by this Order authorised. Provided also that a copy of this section shall be annexed to every table or list of tolls published or exhibited by the Promoters.

*Miscellaneous.*

Provisions as to arbitration.

41. Where under the provisions of the Tramways Act, 1870, and this Order, any matter in difference is referred to the arbitration of any person agreed on between the parties or nominated by the Board of Trade, the provisions of the Arbitration Act, 1889, shall, except where otherwise especially provided, apply to every such arbitration and the decision of the arbitrator shall be final and conclusive and binding on all parties and the costs of and incidental to the arbitration and award shall if either party so require be taxed and settled as between the parties by any one of the taxing masters of the High Court of Justice; and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of such masters; and all those enactments, including the enactments relating to the taking of fees by means of stamps, shall extend to fees in respect of the said taxation.

Form and delivery of notices.

42. With respect to notices, and to the delivery thereof, by or to the Promoters, the following provisions shall have effect (that is to say):—

(1) Every notice shall be in writing, and, if given by the Promoters, or by any local authority, or any road authority, shall be signed by their secretary or clerk;

(2) Any notice to be delivered by or to the Promoters to or by any local authority, or any road authority, or other body, or any company, may be delivered by being left at the principal office of such authority, body, or company, or of the Promoters, as the case may be, or by being sent by post in a registered letter addressed to their respective clerk or secretary at such principal office.

Power to enter into agreements with respect to traffic, &c.

43. The Promoters, or any person using the tramway under the authority of this Order, may, with the consent of the Board of Trade from time to time, but subject to the provisions of this Order, enter into agreements with any company or person with respect to receiving from, or forwarding to, any such company or person any passengers, animals, goods, minerals, or parcels, and the fixing, collecting, and apportionment of tolls, charges, rents, or other receipts arising in respect of such traffic.

Power for local board to purchase the undertaking.

44. In addition to the powers conferred upon them by section 43 of the Tramways Act, 1870, the local board, if they so decide by a resolution passed at a special meeting of the members constituting the local board, in accordance with the provisions of section 43 of the Tramways Act, 1870, may, within a period of six months after the passing of the Act confirming this Order, by notice

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in writing to be given to the Promoters within three months after the passing of the Act confirming this Order, require the Promoters to sell the Undertaking to the local board, and thereupon, provided that the local board shall also cause a copy of such notice to be published within the like period once in the "London Gazette," the local board shall, if so required by the Promoters within one month from the date of such notice, enter into an agreement with the Promoters for such purchase, and to pay the purchase money within six months from the passing of the Act confirming this Order, and the Promoters shall, in pursuance of such agreement (if entered into), sell and transfer the undertaking to the local board, and such sale shall be deemed to be a sale within the meaning of section 43 of the Tramways Act, 1870, and the provisions of the said section so far as the same are applicable shall apply to any sale under the authority of this section. Provided always that the amount of the purchase money to be paid by the local board in respect of such sale shall be the nett cost price of such part of the tramway (if any) as may at the date of such sale have been commenced or completed, and also all reasonable costs, charges, and expenses incurred by the Promoters in the application for, obtaining, and confirmation of this Order, and in relation thereto, and all interest and bank commission paid by the Promoters incidental to the construction of the tramway, or such part thereof, or such other price as may be agreed upon between the local board and the Promoters, and that the terms upon which such sale shall be made shall be such as may be agreed upon between the local board and the Promoters, or failing agreement as to such price or terms, such as may be settled by arbitration in manner provided by the provisions of the Lands Clauses Acts, with respect to the purchase and taking of lands otherwise than by agreement, and the term "lands" in the said provisions shall, for the purposes of this section, be construed to mean the undertaking.

Local board to lease tramway to Promoters on request of Promoters.

45. After the completion of the purchase by the local board of the undertaking, in manner hereinbefore provided, and the completion by the local board of the tramway or such part thereof as may not have been prior to such purchase constructed by the Promoters, the Promoters may within one month after receiving the notice from the local board requiring a sale of the undertaking as hereinbefore provided, by notice in writing to the local board, require the local board to grant them a lease of the tramway, and thereupon the local board shall cause to be prepared, and shall execute a lease of the tramway to the Promoters, at an annual rental equal to six and a half per centum per annum on the total amount of the purchase money paid in respect of the tramway to the Promoters by the local board, together with the amount expended by the local board in the construction of the tramway, and for such a term as to expire at the same time as the term of the lease, or agreement for a lease, by the local board to the Bradford and Shelf Tramway Company, Limited, and now subsisting with respect to the tramways authorised by the Bradford and Shelf Tramways Order, 1885, within the district of the local board, and subject to all such usual and necessary conditions, regulations, and restrictions for working and using the tramway as may, with the approval of the Board of Trade, be agreed upon between the local board and the Promoters, or as, failing such agreement, shall be settled by an arbitrator to be appointed by the Board of Trade, in manner provided by section thirty-three of the Tramways Act, 1870, and the Promoters shall, in the events aforesaid, accept such lease and shall execute a counterpart thereof.

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46. In case the local board purchase the undertaking the provisions of the Public Health Act, 1875, with respect to the audit of accounts of local authorities shall apply to the audit of the accounts of the receipts and expenditure of the local board and their officers with respect to the undertaking, as if such accounts related to receipts and expenditure under that Act.

Copies of Promoters' yearly balance sheets to be furnished to local board.

47. A copy of every yearly balance sheet of the accounts of the Promoters shall within seven days after the same have been approved at an ordinary meeting of the Promoters be delivered to the local board or to their clerk.

Promoters to produce their books, &c. to local board.

48. The Promoters shall, at the request of the local board, before the completion of the purchase by the local board of the undertaking, at all reasonable times produce to such person as the local board may require all the books, accounts, and vouchers with reference to the construction of the tramway and undertaking, and shall permit such person to take such copies of and extracts from such books and accounts as he may think fit.

Promoters or lessees to be responsible for all damage.

49. The Promoters or lessees, as the case may be, shall be answerable for all accidents, damages, and injuries happening through their act or default, or through the act or default of any person in their employment or service, by reason or in consequence of any of their works or carriages, and in consequence of any defects therein, and shall save harmless all road and other authorities, companies, or bodies collectively and individually, and their officers and servants from all damages and costs in respect of such accidents, damages and injuries.

Approval of Board of Trade to sale.

50. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing.

Saving as to powers of borrowing on mortgage.

51. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage. Provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking or any part thereof to the local authority under section 43 of the Tramways Act, 1870, or this Order, and that any mortgage granted by the Promoters shall not be a charge upon the undertaking or any part thereof in the event of the undertaking or such part being purchased by the local authority under section 43 of the Tramways Act, 1870, or this Order, and that every mortgage deed granted by the Promoters shall be endorsed with notice to that effect.

For protection of the National Telephone Company.

52. For the protection of the National Telephone Company, Limited, its successors and assigns (in this section called "the Telephone Company,") the following provisions shall have effect in the event of any tramway of the Promoters being worked by electricity otherwise than by electrical power carried along with the carriages (that is to say):

(1.) The Promoters shall so construct their electric circuits and other works of all descriptions and shall so work their tramway in all respects as to prevent any injurious interference by induction or otherwise with the

electric circuits from time to time used or intended to be used by the Telephone Company for the purpose of telephonic communication or with the currents in such circuits. Provided that as regards electric circuits erected or laid down by the Telephone Company after the construction of the works of the Promoters, this subsection shall only apply if reasonable and proper precautions have been taken in the erection or laying down of such circuits, and if they have not been erected or laid down in unreasonably close proximity to the lines or works of the Promoters :

(2.) Seven days before commencing to lay down any electric line or to supply electricity through any electric line in any manner whereby the work of telephonic communication through any wires or lines belonging to the Telephone Company and lawfully laid down or placed in any position by them may be injuriously affected the Promoters shall, unless otherwise agreed with the Telephone Company, give to that company notice in writing specifying the course, nature and gauge of such electric line, and the amount and nature of the current intended to be sent along the same, and the Promoters shall conform with such reasonable requirements as may from time to time be made by the Telephone Company for the purpose of preventing the communication through such wires or lines from being injuriously affected as aforesaid :

(3.) If any difference arises between the Promoters and the Telephone Company with respect to anything in this section contained such difference shall be determined by the Board of Trade, whose decision shall be final, and sections 30 to 32 both inclusive of the Regulation of Railways Act, 1868, shall apply in like manner as if the Promoters and the Telephone Company were companies within the meaning of that Act:

(4.) Nothing in this section shall apply to repairs or renewals of any electric line so long as the course, nature and gauge of such electric line and the amount and nature of the current sent along the same are not altered.

For protection of the Postmaster-General.

53. In the event of any tramway of the Promoters being worked by electricity the following provisions shall have effect:—

(1.) The Promoters shall construct their electric lines and other works of all descriptions, and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General, and the currents in such telegraphic lines, and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection, whether by induction or otherwise, to such telegraphic lines, or the currents therein. If any question arises as to whether the Promoters have constructed their electric lines or other works, or work their undertaking in contravention of this subsection, such question shall be determined by arbitration, and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.

(2.)—(*a.*) Before any electric line is laid down or any act or work for working the tramway by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs, or the

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laying of lines crossing the line of the Postmaster General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point), the Promoters or their agents, not more than twenty-eight nor less than fourteen days before commencing the work, shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work, including the gauge of any wire, and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

(*b.*) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.

(3.) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents, the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues, or if the telegraphic communication is wilfully interrupted, not exceeding fifty pounds for every day on which such interruption continues.

(4.) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident, or otherwise was a work of emergency, and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof, stating the reason for doing or executing the same without previous notice.

(5.) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is, whether through induction or otherwise, in any manner affected by such act or work, or by any use made of such work.

(6.) For the purposes of this section, and subject as therein provided, sections two, eight, nine, ten, eleven, and twelve of the Telegraph Act, 1878, shall be deemed to be incorporated with this Order, as if the Promoters were undertakers within the meaning of those sections, without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted, and, in particular, nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act, 1878, in relation to the matters mentioned in that section.

(7.) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act, 1882.

(8.) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party, whose decision shall be final, and sections thirty to thirty-two both inclusive, of the Regula-

tion of Railways Act, 1868, shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.

(9.) Nothing in this section contained shall be held to deprive the Postmaster General of any existing right to proceed against the Promoters by indictment, action, or otherwise, in relation to any of the matters aforesaid.

Carrying of mails by Promoters.

54.—(1.) The Promoters, if required by the Postmaster-General, shall perform with respect to any tramway owned or worked by them, all such reasonable services in regard to the conveyance of mails as Her Majesty's Postmaster-General from time to time requires; provided as follows:—

(*a.*) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried by the Promoters in or upon any carriage, that is to say:—

(i.) If the carriage is conveying or intended to convey passengers and not goods or parcels, then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers; and

(ii.) If the carriage is conveying or intended to convey parcels only, then in excess of such maximum weight as is for the time being fixed for ordinary parcels, or, if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such carriage, then as is for the time being fixed by agreement or in default of agreement by a referee to be appointed at the request of either party by the Lord Chief Justice of England; and

(iii.) If the carriage is conveying or intended to convey both parcels and passengers, but not goods, then in excess of the maximum weight for the time being fixed for ordinary parcels, or for the luggage of ordinary passengers, whichever is the greater.

(*b.*) Mails, when carried in or upon a carriage conveying passengers, shall be so carried as not to inconvenience the passengers, but so nevertheless that the custody of the mails by any officer of the post office in charge thereof shall not be interfered with.

(*c.*) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried by the Promoters in or upon a carriage conveying or intended to convey passengers, but not goods or parcels, except in charge of an officer of the Post Office travelling as a passenger.

(*d.*) If the Promoters carry goods, as well as passengers and parcels, the enactments relating to the conveyance of mails by railway shall, subject to the provisions of this section, apply in like manner as if the Promoters were a railway company, and the tramway were a railway.

(2.) The remuneration for any services which have been performed by the Promoters in pursuance of this section shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the Promoters, or, in default of agreement, by a referee to be appointed by the Lord Chief Justice of England, at the request of either party; and this provision shall have effect in lieu of any provisions respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

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(3.) For the purposes of this section the expression "mails" has the same meaning as in the Regulation of Railways Act, 1873, and includes parcels within the meaning of the Post Office (Parcels) Act, 1882.

(4.) For the purposes of this section a requisition by Her Majesty's Postmaster-General may be signified by writing under the hand of any person who is at the time either such Postmaster-General, or a secretary or assistant secretary of the Post Office, or the Inspector General of Mails; and any document purporting to be signed by any such person as aforesaid shall, until the contrary is proved, be deemed without proof of the official character of such person to have been duly signed as required by this section.

Saving for general Acts.

55. Notwithstanding anything in this Order contained, the Promoters and any person using the tramway shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways, or the passengers or traffic conveyed thereon, and to any future revision or alteration under the authority of Parliament of the maximum rates of tolls and charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, electrical power, steam power, or any mechanical power, by any such general Act as aforesaid.

## SCHEDULES.

### SCHEDULE (A).

Break power of engines.

Every engine used on the tramway shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating, and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient.

As to fittings of engines.

Every engine used on the tramway shall have its number shown in some conspicuous part thereof, and shall be fitted—

With an indicator, by means of which the speed shall be shown;

With a suitable fender to push aside obstructions;

With a special bell, whistle, or other apparatus, to be sounded as a warning when necessary; and

With a seat for the driver of such engine, so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above

four inches from the level of the rails; and all fire used on such engine shall be concealed from view.

As to carriages.

Every carriage used on the tramway shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage.

Inspection of engines and carriages.

The Board of Trade shall, on the application of the local authority, and may, on complaint made by any person, from time to time inspect any engine or carriage used on the tramway and the machinery therein, and may, whenever they think fit, prohibit the use on the tramway of any such engine or carriage which in their opinion may not be safe for use on the tramway.

As to speed.

The speed at which engines and carriages may be driven or propelled along the tramway shall not exceed the rate of eight miles an hour.

The speed at which engines and carriages may pass through movable facing points shall not exceed the rate of four miles an hour.

## SCHEDULE (B).

### Tolls and Charges for Animals, Goods, &c.

| | Per mile. s. | d. |
|---|---|---|
| *Animals.* | | |
| For every horse, mule, or other beast of draught or burden - per head | 0 | 4 |
| For every ox, cow, bull, or head of cattle - - - „ | 0 | 3 |
| For every calf, sheep, pig, or other small animal - - „ | 0 | 1½ |
| *Goods and Minerals.* | | |
| For all coals, coke, culm, charcoal, cinders, dung, compost, manures, gravel, and all undressed materials for the repair of public roads or highways - - - - - - - per ton | 0 | 2 |
| For all sand, lime, limestone, all stones for building, pitching, and paving, all bricks, tiles, slates, clay, chalk, marl, iron, iron stone, and iron ore - - - - - - - - per ton | 0 | 2½ |
| For all pig iron, bar iron, hoop iron, and all other similar descriptions of wrought iron and iron castings not manufactured into utensils or other articles of merchandise - - - - - per ton | 0 | 2½ |
| For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, metals (except iron), trimmed rails, nails, anvils, vices and chains - - - - - - - per ton | 0 | 3 |
| For all wools, cottons, drugs, manufactured goods, fish, and all other ware, merchandise, articles, matters, or things - - per ton | 0 | 4 |

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| *Parcels.* | Any distance. s. | d. |
|---|---|---|
| For any parcel not exceeding seven pounds in weight - - - - | 0 | 3 |
| For any parcel exceeding seven pounds, but not exceeding fourteen pounds in weight - - - - - - - - | 0 | 5 |
| For any parcel exceeding fourteen pounds, but not exceeding twenty-eight pounds in weight - - - - - - - | 0 | 7 |
| For any parcel exceeding twenty-eight pounds, but not exceeding fifty-six pounds in weight - - - - - - - - | 0 | 9 |

For any parcel exceeding fifty-six pounds in weight, such sum as the Promoters may think fit.

Provided always that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed parcels, but that term shall apply only to single parcels in separate packages.

For the Carriage of Single Articles of Great Weight.

| | Per mile. s. | d. |
|---|---|---|
| For the carriage of any iron boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, exceeds four tons, but does not exceed eight tons, such sum as the Promoters may think fit not exceeding per ton | 2 | 0 |

For the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, exceeds eight tons, such sum as the Promoters may think fit.

Regulations as to Tolls.

A fraction of a mile beyond an integral number of miles shall be deemed a mile.

For a fraction of a ton the Promoters may demand and take tolls and charges according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber, the weight shall be determined according to the imperial avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

## CHURCH AND OSWALDTWISTLE TRAMWAYS.

A.D. 1891.

*Church and Oswaldtwistle.*

*Order authorising the construction of Tramways in the Districts or Townships of Church and Oswaldtwistle, in the Parish of Whalley, in the County of Lancaster.*

Short title.

1. This Order may be cited as the Church and Oswaldtwistle Tramways Order, 1891.

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the Promoters of the undertaking), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are inconsistent with or expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts, in whole or in part incorporated with this Order, meanings are assigned, have in this Order the same respective meanings: Provided that in this Order—

The expression "the Blackburn Corporation" shall mean the mayor, aldermen, and burgesses of the county borough of Blackburn, in the county of Lancaster; and

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works, and the undertaking by this Order authorised.

*Promoters.*

The Promoters.

4. The Blackburn Corporation Tramways Company, Limited, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

Lands by agreement.

5. The Promoters may by agreement from time to time purchase, take on lease, and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell, let, or dispose of any such lands which may not be necessary for such purposes, provided that they shall not at any time hold for such purposes more than five acres of land, but nothing in this Order shall exonerate the Promoters from any indictment, action, or other proceeding for nuisance in the event of any nuisance being caused by them upon lands taken under the powers of this section.

*Construction of Tramways.*

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order at the office of the Board of Trade (in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramways herein-after described, with all proper rails, plates, curves, points, offices, weigh-bridges, carriage-houses, engine-sheds, warehouses, works, and conveniences connected therewith, or for the purposes thereof, and may work and use the same.

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The tramways authorised by this Order will be situate in the parish of Whalley, in the county of Lancaster, and are as follows:—

*Tramway No.* :

A main line of tramway, 1 mile 2·85 chains in length, of which 7 furlongs 3·85 chains are single, and 9 chains are double line, commencing by a junction with tramway No. 4, hereinafter described, at a point in Market Street, Church, opposite the Greyhound Inn, thence southwardly along Market Street, Church, and Union Road, Oswaldtwistle, and terminating at a point in Union Road immediately before the same crosses Smithy Brook Bridge.

Provided always that so much of tramway No. 1 as is authorised to be laid between the intersection of Roe Greave Road with Union Road and a point 2 chains westward of the said intersection shall not be constructed unless and until the roadway whereon the said portion of tramway is to be laid shall have been widened so that a space of not less than nine feet six inches shall intervene between the outside of the footpath on either side of the road and the nearest rail of the tramway.

*Tramway No.* 2:

1·88 chain in length, a single line throughout, commencing by a junction with tramway No. 1 at a point in Union Road 1·75 chain from the termination of such tramway, thence running into Brookside Lane, and terminating at a distance of 1·88 chain from its commencement.

*Tramway No.* 3:

0·50 chain in length, a single line throughout, commencing by a junction with tramway No. 1 at a point in Union Road 0·7 chain from the termination of such tramway, and running with a curve for a distance of half a chain, and terminating by a junction with tramway No. 2 at a point 1 chain from the termination thereof, and forming a loop or passing place between tramways Nos. 1 and 2.

*Tramway No.* 4:

7·50 chains in length, of which 4·50 chains are single and 3 chains are double line, commencing by a junction with the existing tramways of the Blackburn Corporation in Blackburn Road, at a point in Blackburn Road opposite the Navigation Inn, thence running south-westwardly along Wood Street, otherwise Wood Lane, or such new street as may be made on the site thereof under the authority of this Order, into Market Street, Church, and terminating in such street by a junction with tramway No. 1, at its commencement opposite the Greyhound Inn, Church.

The tramways shall be laid as single lines throughout, except at the following places, where they shall be laid as double lines, the lengths being calculated in every case from points nearest to the commencement of the said tramways, and running towards their termination :—

*Tramway No.* 1:

In Market Street, Church, from the intersection of Sadler Street, for a distance of 3 chains southwardly.

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In Union Road aforesaid, from a point 0·75 chain south of the intersection of Spring Street, for a distance of 3 chains southwardly.

In Union Road aforesaid, from a point 0·50 chain south of the intersection of Cross Street, for a distance of 3 chains southwardly.

*Tramway No. 4:*

In Wood Street, otherwise Wood Lane, from a point 3·50 chains from Blackburn Road for 3 chains south-westwardly.

Gauge of tramways.

7. The tramways shall be constructed on a gauge of four feet, provided always that so much of section 34 of the Tramways Act, 1870, as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage, shall not apply to carriages used on the tramways, but no engine or carriage used on the tramways shall, except with the consent in writing of the Board of Trade, exceed 6 feet and 6 inches in width.

Provisions as to construction of tramways.

8. In addition to the requirements of section 26 of the Tramways Act, 1870, the Promoters shall, at the same time as they give notice to the road authority of their intention to open or break up any road for the purpose of constructing, laying down, maintaining, or renewing any of the tramways, lay before the Board of Trade a plan showing the proposed mode of constructing, laying down, maintaining, and renewing such tramways, and a statement of the materials intended to be used therein, and the Promoters shall not commence the construction, laying down, maintenance, or renewal of any of the tramways or part of any of the tramways respectively, except for the purpose of necessary repairs until such plan and statement have been approved by the Board of Trade, and after such approval the works shall be executed in accordance in all respects with such plan and statement, and under the superintendence and to the reasonable satisfaction of the surveyor for the time being of the road authority as provided by section 26 of the said Act.

As to rails of tramways.

9. The rails of the tramways shall be such as the Board of Trade may approve and the Board of Trade may from time to time, upon the application of the road authority of any district in which the tramways or any portion thereof are or is situate, require the Promoters to adopt and apply such improvements in the tramways within such district, including the rails thereof, as experience may from time to time suggest, having regard to the greater security of the public and advantage to the ordinary traffic, and the Promoters shall, with all reasonable dispatch, comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

10. The Promoters shall at all times maintain and keep in good condition and repair, and so as not to be a danger or annoyance to the ordinary traffic, the rails of which any of the tramways for the time being consist, and the substructure upon which the same rest, and if the Promoters at any time make default in complying with this provision or with any of the requirements of section 28 of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues and such penalty may be recovered as by section 56 of the said Act is provided.

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In any case in which it is represented in writing to the Board of Trade by the road authority of any district in which the tramways or any portion thereof are or is situate, or by twenty inhabitant ratepayers of such district, that the Promoters have made any such default as aforesaid the Board of Trade may, if they think fit, direct an inspection by an officer to be appointed by the said Board, and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report, certified by the Board of Trade, may be adduced as evidence of such default, and of the liability of the Promoters to such penalty or penalties in respect thereof as is or are imposed by this section.

Local authority to have access to sewers.

11. Every local authority shall at all times have free access to and communication with all their sewers and drains, and power to lay lateral and private drains and pipes to communicate therewith without the consent or concurrence of the Promoters, and the provisions contained in sections 32 and 33 of the Tramways Act, 1870, shall be applicable in the case of any sewer or private drain of or under the control of the local authority as if the same were a pipe for the supply of gas or water.

Tramways to be kept on level with surface of roads.

12. If any road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid the Promoters shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Additional crossings, &c. may be made where necessary.

13. The Promoters may, subject to the provisions of this Order, with the consent of the road authority, from time to time make, maintain, alter, and remove all such crossings, passing places, sidings, triangles, junctions, and other works in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient for the efficient working of the tramways, or any of them, or for providing access to any stables, engine-houses, carriage-houses, sheds, or works of the Promoters, provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of any house, shop, or warehouse abutting on the place where such rail is proposed to be laid, by notice in writing under his hand addressed to the Promoters, express his objection thereto. Provided also that no such crossing, passing place, siding, triangle, junction, or other work having a physical junction with any tramway belonging to the Blackburn Corporation shall be made without the consent in writing of the Blackburn Corporation first had and obtained.

Temporary tramways may be made when necessary.

14. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways is laid it is in the opinion of the road authority necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the Promoters may, with the consent of the road authority, and subject to such conditions, and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and with the like consent, subject to the like conditions and in accordance with the like regulations,

maintain, so long as occasion may require, a temporary tramway in lieu of the tramway or part of the tramway so removed or discontinued. A.D. 1891.

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If any difference arises between the Promoters and any road authority with respect to the reasonableness of any conditions or regulations or with respect to the mode of constructing any temporary tramway under the authority of this section the same shall be settled in the manner specified in section 33 of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

As to removal and relaying of tramways in case of alterations in roads.

15. If and whenever by reason of the alteration, widening, or diversion of any road or any part of any road along which any of the tramways is laid, it is, in the opinion of the road authority having the control of such road, necessary or expedient, temporarily or permanently, to remove or discontinue the use of such tramway or of any part thereof, such road authority may, if they think fit, by notice in writing, require the Promoters to remove or discontinue the use of such tramway, or such part thereof, and the Promoters shall within 48 hours of receiving such notice discontinue or take up such tramway, or such part thereof, either permanently or temporarily, for such term as may be necessary for the execution of such works, and may in such case, subject to such conditions and in accordance and in all respects with such regulations as the road authority may from time to time make, construct on the same or any adjacent road or on or along any part of the road as altered, widened, or diverted, and subject to the like conditions, and in accordance with the like regulations, maintain, either permanently or so long as occasion may require, a tramway in lieu of the tramway or part of the tramway so removed or discontinued. Provided that such works shall be carried out by the road authority with as little delay as possible, and that no part of the tramways shall be permanently removed so as to break the continuity of such tramways, and that no rail of any tramway shall be permanently laid under this section so that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road, if any owner or occupier of any house, shop, or warehouse abutting on the place where such rail is proposed to be laid, by notice in writing under his hand addressed to the Promoters, express his objection thereto.

Application of road material excavated in construction of tramways.

16. Any metalling or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority may be applied by the Promoters, so far as may be necessary, in or towards such works, or in or towards the reinstating of such road and the maintenance for six months after completion of any of the tramways within the district of such road authority of so much of the roadway on either side of such tramways as the Promoters are by section 28 of the Tramways Act, 1870, or by this Order required to maintain, and the Promoters shall if so required deliver the surplus metalling or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person as he may appoint to receive the same: Provided that if within seven days after the setting aside of the surplus arising from the excavation of any such metalling or material, and notice thereof duly given to the road authority, such surplus is not removed by such surveyor, or by some other person named by him for that purpose, such surplus metalling or material, or so much thereof as may not have been removed by such surveyor or person, shall

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absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority or surveyor or other person with reference to any of the matters aforesaid shall be determined in manner provided by the Tramways Act, 1870, with respect to differences between the Promoters and any road authority.

Tramways not to be opened until certified by Board of Trade.

17. The tramways shall not be opened for public traffic until the same have been inspected and certified to be fit for such traffic by the Board of Trade.

For the protection of the Oswaldtwistle Local Board.

18. For the protection of the local board for the district of Oswaldtwistle (in this section called "the local board"), the following provisions shall have effect :—

(1.) The Promoters shall widen the western side of Union Road, Oswaldtwistle, opposite the Castle Inn, by setting back the line of the road to the extent of a straight line drawn from the south corner of No. 22, Union Road, to the north corner of No. 30, Union Road, as shown on a certain plan deposited at the office of the Board of Trade, signed by Charles Courtney Cramp, the chairman for and on behalf of the Promoters, and by Robert N. Hunter, for the surveyor of the local board, on behalf of the local board, the said line being marked red between the points A and B on the said plan.

(2.) The Promoters shall widen the easterly side of Union Road aforesaid, where the same crosses Tinker's Brook, by setting back the frontage of the said road to the line marked red between the points C and D on the said plan.

(3.) The Promoters shall widen the north-west side of Tinker's Brow, Union Road, aforesaid, by setting back the frontage of the said road to the line marked red between the points E and F on the said plan.

(4.) The Promoters shall widen the carriage-way between Roe Greave Road and New Lane by the addition thereto of the land coloured red on the said plan.

(5.) The Promoters shall raise the level of Union Road between the points marked G and H on the said plan to such an extent not exceeding 12 inches as may be required by the local board, and shall make good the surface of the said road between such points to the full extent of the carriage-way.

(6.) The Promoters shall lower the level of Union Road, aforesaid, between the points marked I and K on the said plan to such an extent not exceeding eight inches as may be required by the local board, and shall make good the surface of the said road between such points to the full extent of the carriage-way.

(7.) The Promoters shall not commence laying down any of the tramways until the above-mentioned works are completed.

(8.) The Promoters shall pave the space between the rails and to the extent of 18 inches on either side thereof for the whole length of the tramways within the district of the local board with granite setts with a straight margin course to the reasonable approval of the local board, and shall take up the existing setts which shall thereupon vest in and belong to, and shall

be removed by, the local board, and the local board shall provide sufficient stone or ballast for the concrete foundation of the tramways.

(9.) The situation of all crossings and passing places within the district of the local board shall be such as may be determined by the local board with the approval of the Board of Trade.

(10.) Sections thirty, thirty-two, and thirty-three of the Tramways Act, 1870, shall extend and apply to the apparatus of the local board, and to the local board in respect thereof, and in construing those sections for the purposes of this section, the word "company" shall include the local board provided that all works which may in any way interfere with such apparatus under section 30 of the Tramways Act, 1870, or otherwise, may, if the local board so think fit, be executed by the local board, but at the cost in all things of the Promoters.

(11.) If by reason of the construction or maintenance of the tramways any new substituted or additional apparatus or sewers be requisite, the cost of constructing, providing, and laying such apparatus and sewers shall, on demand, and subject to credit being given to the Promoters for the value of any apparatus or sewers rendered useless by the construction or maintenance of the tramways be paid by the Promoters to the local board. Provided that if such substituted apparatus or sewers be of larger dimensions or better quality than those for which the same are substituted, the additional cost arising therefrom shall, unless such larger dimensions or better quality be required by reason of the tramways, be borne by the local board.

(12.) The local board may, from time to time, on giving 24 hours' previous notice in writing to the Promoters, stop, delay, or suspend the working of the tramways in any of the roads within their district, as well for police purposes and for regulating and facilitating traffic on any public occasion, as for the execution of any works of the local board or for any purpose which the local board in the exercise of their powers for the good government of their district, or the safety of the public, deem necessary, provided that such stoppage, delay, or suspension shall continue only as long as may be reasonably necessary for the purposes aforesaid, or any of them.

(13.) The Promoters, in the exercise of their powers, shall do as little damage as may be, and shall make compensation to the local board for any damage sustained by them, by reason or in consequence of the exercise of such powers.

(14.) The local board shall not, either during the progress of the works or at any time thereafter be liable for any loss which may accrue to the Promoters by reason of any suspension of, or interference with, the traffic on the tramways, nor for any accident, damage, or injury not occasioned by or arising as the consequence of any wilful act or default of the local board or their officers or servants, to the tramways, works, or property of the Promoters, or to any person or thing travelling or conveyed on, or using the tramways.

(15.) The word "apparatus" in this section includes gas and water mains, pipes, syphons, plugs, valves, fire-cocks, hydrants, and all apparatus now or hereafter to be used for the supply of gas or water, and the word "sewers"

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includes all present and future public and private sewers and drains and manholes, ventilating shafts, and other works connected therewith.

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For the protection of Church Local Board.

19. For the protection of the local board for the district of Church (in this section called "the Church Local Board") the following provisions shall have effect :—

(1.) Before commencing to lay down any part of Tramway No. 4, in Wood Street, the Promoters may, and shall, in the line and manner shown in the deposited plans, and in accordance with the byelaws of the Church Local Board, construct and make a new street on the site of Wood Street, of a width of 36 feet, with a footpath on either side thereof of 5 feet in width. The Promoters shall pave with granite setts so much of the roadway of the said new street as they are by section 28 of the Tramways Act, 1870, required to maintain and repair, and shall form and lay out the remaining portion of the roadway with ballast to the satisfaction of the Church Local Board, and shall form and lay out with gravel the footpaths on either side of the said street, but shall not be required to kerb or flag the said footpaths, or to lay any sewer in under or in connexion with the said street. Provided always that nothing in this sub-section shall affect any rights or powers of the Church Local Board under the provisions of sections 150 and 257 of the Public Health Act, 1875, against the owners and occupiers of premises fronting, adjoining, or abutting on such new street.

(2.) The Promoters shall set back the wooden building belonging or reputed to belong to them on the east side of Market Street to the line of the first adjoining house on that side of Market Street, and shall also round off the corner of such building towards the Blackburn Road, to a depth of three feet at the corner, so as to make the angle less sharp.

As to junction with tramways of Blackburn Corporation.

20. Any physical junction with any existing tramway belonging to the Blackburn Corporation shall be made, maintained, and worked by and at the expense of the Promoters subject to the approval and to the satisfaction of the Blackburn Corporation, and the provisions of all enactments relating to or affecting the tramways of the Blackburn Corporation, shall, so far as the same are applicable, extend and apply to the making, maintenance, and working of such physical junction by the Promoters.

Saving rights of Blackburn Corporation.

21. Except as is by this Order otherwise expressly provided, nothing in this Order contained shall take away, lessen, prejudice, or alter any of the estates, rights, interests, powers, or authorities of or belonging to the Blackburn Corporation, but the Blackburn Corporation shall have and may use, exercise, and enjoy the same as fully, freely, and effectually in all respects as they could or might have done if this Order had not been made and confirmed.

*Motive Power.*

Carriages on tramway may be moved by animal, steam, electrical, or mechanical power.

22. The carriages used on the tramways may, subject to the provisions of this Order, be moved by animal power, and with the consent in writing of the Board of Trade, during a period of seven years from the time specified in such consent, and with the like consent during such further periods, not exceeding seven years, as the said Board may from time to time specify in any order to be signed

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by a secretary or an assistant secretary of the said Board, by steam power, electrical power, or any mechanical power. Provided always that the exercise of the powers hereby conferred with respect to the use of electrical, steam, or any mechanical power, shall be subject to the regulations set forth in the Schedule A to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may, and which they are hereby empowered to make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of electrical, steam, or any mechanical power on the tramways.

Penalty for using electrical, steam, or mechanical power contrary to Order or regulations.

23. The Promoters or any person using electrical, steam, or any mechanical power on any of the tramways contrary to the provisions of this Order, or to any of the regulations set forth in the Schedule A to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall, for every such offence be subject to a penalty not exceeding ten pounds, and also in the case of a continuing offence to a further penalty not exceeding five pounds, for every day after the first during which such offence continues after conviction therefor; provided always that whether any such penalty has been recovered or not, the Board of Trade, in case, in their opinion, the Promoters, or any person using electrical, steam, or any mechanical power on the tramways under the authority of this Order have or has made default in complying with the provisions of this Order, or with any of the regulations set forth in the Schedule A to this Order annexed, or with any regulation which may have been added thereto or substituted therefor as aforesaid, may by order direct the Promoters or such person to cease to exercise the powers aforesaid, and thereupon the Promoters or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same or any of the same unless with the authority of the Board of Trade, and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws.

24. Subject to the provisions of this Order, the Board of Trade may from time to time make, and when made may rescind, annul, or add to byelaws with regard to any of the tramways upon which electrical, steam, or any mechanical power may be used under the authority of this Order, for all or any of the following purposes, that is to say:—

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine.

For regulating the emission of smoke or steam from engines used on such tramways.

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places, and in such cases of horses being frightened, or of impending danger, as the Board of Trade may deem proper for securing safety.

For regulating the entrance to, exit from, and accommodation in the carriages used on such tramways, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages.

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to such tramways by exhibition of the same in conspicuous places on the carriages and elsewhere.

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Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

25. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Order, and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of Tramways Act, 1870, as to byelaws by local authority.

26. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway, shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by this Order, or by any regulation made by the Board of Trade under the authority of this Order, at which engines and carriages are to be driven or propelled on the tramways under the authority of this Order, but the local authority may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed, &c.

27. All orders and byelaws made and consents, approvals, and certificates given by the Board of Trade under the authority of this Order shall be signed by a secretary or an assistant secretary of the Board of Trade, and when purporting to be so signed, the same shall be deemed to have been duly made or given in accordance with the provisions of this Order, and to be orders and regulations within the meaning of the Documentary Evidence Act, 1868, and may be proved accordingly.

As to contracts with road authorities where mechanical power is used.

28. Where the Promoters or any person intend or intends to use steam, electrical, or any mechanical power under the authority of this Order on the tramways, or any part thereof, they or he shall give two months' previous notice in writing of such intention to every road authority within whose district the tramways, or such part thereof, upon which they or he intend or intends to use such power, are or is situated.

Where at the time of the giving of any such notice any contract, agreement, or arrangement between the Promoters or such person and such road authority is in force with respect to the user by the Promoters, or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the tramways or such part of the tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving and keeping in repair of such road, then and in every such case, with the consent of the Board of Trade, it shall be lawful for the Promoters or such person by such notice, or for such road authority by notice to be served upon the Promoters, or such person, not later than forty days after the receipt by such road authority of such first-mentioned notice to determine such contract, agreement, or arrangement, and thereupon such contract, agreement, or arrangement shall, from and after the commencement of the use of steam, electrical, or any mechanical power upon the tramways, or such part thereof, be determined and of no effect.

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Before using steam, electrical, or any mechanical power on the tramways or any part thereof, and thereafter from time to time, the Promoters or such person and every such road authority may enter into or renew, with or without modification, any contract, agreement, or arrangement with respect to the user by the Promoters or such person or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the tramways or such part of the tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving, and keeping in repair of such road which they may think fit, and the Board of Trade may approve.

In case any difference arises between any such road authority and the Promoters or such person as to the determination of any such contract, agreement, or arrangement, or in case any such road authority after request in writing by the Promoters or such person, or the Promoters or such person, after request in writing by any such road authority during a period of one month after such request, refuse or fail to enter into any such contract, agreement, or arrangement or to renew the same with or without modification, or to make a new contract instead thereof, or in case of any difference as to the terms of any such contract, agreement, or arrangement, or any renewal thereof, with or without modification or any new contract instead thereof, then and in every such case the difference with respect to such determination or the reasonableness of such refusal or failure or the terms of such contract, agreement, or arrangement, or any renewal thereof with or without modification, or any new contract instead thereof, shall from time to time, on the appeal of either of the parties to the Board of Trade, be determined in manner provided by the Tramways Act, 1870, with respect to differences between the Promoters and any road authority, and thereupon the parties shall in all respects conform to such determination and make and observe any contract, agreement, or arrangement thereby prescribed, provided always that while any such appeal is pending the Board of Trade may order that no steam, electrical, or mechanical power shall be used on the tramways to which such appeal relates.

No steam, electrical, or mechanical power shall be used on the tramways or any part of the tramways unless there is in force in relation to the tramways or such part of the tramways a contract, agreement, or arrangement in accordance with the provisions of this section.

Any moneys which may from time to time be received by such road authority under any contract, agreement, or arrangement in accordance with the provisions of this section, shall be applied by them towards the expenses of repairing, improving, and maintaining the highways within their district having regard in the first instance to the requirements of the roads upon which the tramways are laid.

Where steam, electrical, or mechanical power is used contract with road authority not to be longer than two years at a time.

29. Where steam, electrical, or any mechanical power is used by the Promoters or any person on the tramways or any part thereof, no contract, agreement, or arrangement made before or after the commencement of the use of steam, electrical, or mechanical power as aforesaid between the Promoters or such person and any road authority with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the tramways or such part of the tramways are or is laid or with respect to the payment by the Promoters or such person to such road authority of any annual

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or other sum in relation to such user paving and keeping in repair of such road shall continue in force for any period exceeding two years at any one time after the commencement of the use of steam, electrical, or any mechanical power as aforesaid, or the making of such contract, agreement, or arrangement. Provided always that any such contract, agreement, or arrangement may from time to time be renewed with or without modification or a new contract, agreement, or arrangement may be made instead thereof.

*Traffic upon Tramways.*

Traffic upon tramways.

30. The tramways may be used for the purpose of carrying passengers, animals, goods, minerals, and parcels.

Railway carriages not to be used on tramways.

31. No carriages adapted for use upon railways shall be used on the tramways.

Promoters not bound to carry goods, parcels, &c.

32. The Promoters shall not be bound to carry, unless they think fit, any animals, goods, minerals, or parcels other than passengers' luggage, not exceeding twenty-eight pounds in weight.

As to carriage of animals, goods, &c. in separate carriages.

33. In case the Promoters carry animals, goods, minerals, or parcels they may, and when required by the local authority shall, carry the same in separate carriages or separate parts of carriages set apart for that purpose. Provided that this provision shall not apply to the carriage of passengers' luggage.

*Tolls.*

Tolls for passengers.

34. The Promoters may demand and take, for every passenger travelling upon the tramways or any part thereof, including tolls and charges for the use of the tramways, and of carriages, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding one penny per mile (and for this purpose the fraction of a mile beyond an integral number of miles shall be deemed a mile), but the Promoters may charge for any less distance than two miles any sum not exceeding twopence.

Passengers' luggage.

35. Every passenger travelling upon the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof; all such personal luggage to be carried by hand and at the responsibility of the passenger, and not to occupy any part of a seat, nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

36. The Promoters at all times after the opening of the tramways, or any part thereof, for public traffic, shall, and they are hereby required to run at least one carriage each way every morning in the week, and every evening except Saturday evening in the week (Sundays, Christmas Day, and Good Friday always excepted), at such hours, not being later than seven in the morning, nor earlier than six in the evening respectively, as the Promoters think most convenient, for artisans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (the Promoters nevertheless not being required to take any fare less than one penny), provided that in case of any complaint made to the Board of Trade, as to the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time.

37. The Promoters may demand and take in respect of any animals, goods, minerals, or parcels conveyed by them on the tramways, except as is by this Order specially provided, including the tolls and charges for the use of the tramways, and for waggons and trucks, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding the tolls and charges specified in the Schedule B to this Order annexed, subject to the regulations in that behalf therein contained.

Tolls for animals, goods, &c.

38. The tolls and charges by this Order authorised shall be paid to such persons and at such places upon or near to the tramways, and in such manner and under such regulations as the Promoters may, by notice to be annexed to the list of tolls and charges, appoint.

Payment of tolls.

39. If at any time after three years from the opening for public traffic of the tramways or any portion of the tramways, or after three years from the date of any order made in pursuance of this section in respect of the tramways, or any portion of the tramways, it is represented in writing to the Board of Trade by the local authority of any district in which the tramways, or such portion of the tramways are or is wholly or partially situate, or by twenty inhabitant ratepayers of any such district, or by the Promoters, that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on the tramways, or on such portion of the tramways, should be revised, the Board of Trade may, if they think fit, direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act, 1870, and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing, altering, modifying, reducing or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they may think fit, and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section, provided always that the tolls and charges prescribed by any such order shall not exceed in amount the tolls and charges by this Order authorised. Provided also that a copy of this section shall be annexed to every table or list of tolls published or exhibited by the Promoters.

Periodical revision of tolls.

*Miscellaneous.*

40. Where, under the provisions of the Tramways Act, 1870, and this Order, any matter in difference is referred to the arbitration of any person nominated by the Board of Trade, the provisions of the Arbitration Act, 1889, shall, except where otherwise specially provided, apply to every such arbitration, and the decision of the arbitrator shall be final and conclusive, and binding on all parties; and the costs of and incidental to the arbitration and award shall, if either party so require, be taxed and settled as between the parties by any one of the taxing masters of the High Court of Justice; and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of such masters; and all those enactments, including the enactments relating to the taking of fees by means of stamps, shall extend to fees in respect of the said taxation.

Provisions as to arbitration.

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Form and delivery of notices.

41. With respect to notices, and to the delivery thereof, by or to the Promoters, the following provisions shall have effect (that is to say):—

(1.) Every notice shall be in writing and, if given by the Promoters, or by any local authority, or any road authority, shall be signed by their secretary or clerk:

(2.) Any notice to be delivered by or to the Promoters to or by any local authority or any road authority or other body or any company may be delivered by being left at the principal office of such authority, body, or company or of the Promoters, as the case may be, or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office.

Power to enter into agreements with respect to traffic, &c.

42. The Promoters, or any person using the tramways under the authority of this Order, may, with the consent of the Board of Trade from time to time, but subject to the provisions of this Order, enter into agreements with any company or person with respect to the receiving from, or forwarding to, any such company or person any passengers, animals, goods, minerals, or parcels, and the fixing, collecting, and apportionment of tolls, charges, rents, or other receipts arising in respect of such traffic.

Approval of Board of Trade to sale, &c., to be in writing.

43. No sale or assignment of the undertaking shall have any validity or effect until the approval of the Board of Trade to such sale or assignment has been signified in writing.

Saving as to powers of borrowing on mortgage.

44. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage. Provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking, or any part thereof, to the local authority under section 43 of the Tramways Act, 1870, and that any mortgage granted by the Promoters shall not be a charge upon the undertaking or any part thereof, in the event of the undertaking or such part being purchased by the local authority under section 43 of the Tramways Act, 1870, and that every mortgage deed granted by the Promoters shall be endorsed with notice to that effect.

For the protection of the National Telephone Company.

45. For the protection of the National Telephone Company, Limited, its successors and assigns (in this section called "the Telephone Company"), the following provisions shall have effect in the event of any tramways of the Promoters being worked by electricity otherwise than by electrical power carried along with the carriages (that is to say):—

(1.) The Promoters shall so construct their electric circuits and other works of all descriptions, and shall so work their tramways in all respects as to prevent any injurious interference by induction or otherwise with the electric circuits from time to time used or intended to be used by the Telephone Company for the purpose of telephonic communication, or with the currents in such circuits. Provided that as regards electric circuits erected or laid down by the Telephone Company after the construction of the works of the Promoters, this sub-section shall only apply if reasonable

and proper precautions have been taken in the erection or laying down of such circuits, and if they have not been erected or laid down in unreasonably close proximity to the lines or works of the Promoters :

(2.) Seven days before commencing to lay down any electric line or to supply electricity through any electric line in any manner whereby the work of telephonic communication through any wires or lines belonging to the Telephone Company and lawfully laid down or placed in any position by them may be injuriously affected, the Promoters shall, unless otherwise agreed with the Telephone Company, give to that company notice in writing specifying the course, nature, and gauge of such electric line, and the amount and nature of the current intended to be sent along the same, and the Promoters shall conform with such reasonable requirements as may from time to time be made by the Telephone Company for the purpose of preventing the communication through such wires or lines from being injuriously affected as aforesaid :

(3.) If any difference arises between the Promoters and the Telephone Company with respect to anything in this section contained, such difference shall be determined by the Board of Trade, whose decision shall be final, and sections 30 to 32 both inclusive of the Regulation of Railways Act, 1868, shall apply in like manner as if the Promoters and the Telephone Company were companies within the meaning of that Act :

(4.) Nothing in this section shall apply to repairs or renewals of any electric line so long as the course, nature, and gauge of such electric line, and the amount and nature of the current sent along the same are not altered.

For protection of Postmaster-General.

46. In the event of any tramways of the Promoters being worked by electricity, the following provisions shall have effect :—

(1.) The Promoters shall construct their electric lines and other works of all descriptions, and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General, and the currents in such telegraphic lines, and shall use every reasonable means in the construction of their electric lines and other works of all descriptions, and the working of their undertaking, to prevent injurious affection, whether by induction or otherwise, to such telegraphic lines, or the currents therein. If any question arises as to whether the Promoters have constructed their electric lines or other works, or work their undertaking in contravention of this subsection, such question shall be determined by arbitration, and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator :

(2.) (*a.*) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs, or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point), the Promoters or their agents, not more than twenty-eight nor less than fourteen days before commencing the work, shall give written notice to the Postmaster-General specifying the course of the line

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and the nature of the work, including the gauge of any wire, and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work:

(*b.*) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration:

(3.) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues, or if the telegraphic communication is wilfully interrupted, not exceeding fifty pounds for every day on which such interruption continues:

(4.) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident, or otherwise was a work of emergency, and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof, stating the reason for doing or executing the same without previous notice:

(5.) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is, whether through induction or otherwise, in any manner affected by such act or work or by any use made of such work:

(6.) For the purposes of this section, and subject as therein provided, sections two, eight, nine, ten, eleven, and twelve of the Telegraph Act, 1878, shall be deemed to be incorporated with this Order, as if the Promoters were undertakers within the meaning of those sections, without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted, and, in particular, nothing in this section shall be deemed to exclude the provisions of section 7 of the Telegraph Act, 1878, in relation to the matters mentioned in that section:

(7.) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act, 1882:

(8.) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party, whose decision shall be final, and sections 30 to 32, both inclusive, of the Regulation of Railways Act, 1868, shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act:

(9.) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment, action, or otherwise, in relation to any of the matters aforesaid.

Carrying of mails by Promoters.

47. The Promoters, if required by the Postmaster-General, shall perform with respect to any tramway owned or worked by them all such reasonable services in regard to the conveyance of mails as Her Majesty's Postmaster-General from time to time requires; provided as follows:—

(*a.*) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried by the Promoters in or upon any carriage, that is to say:—

(i.) If the carriage is conveying or intended to convey passengers and not goods or parcels, then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers; and

(ii.) If the carriage is conveying or intended to convey parcels only, then in excess of such maximum weight as is for the time being fixed for ordinary parcels, or, if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such carriage, then as is for the time being fixed by agreement, or in default of agreement by a referee to be appointed at the request of either party by the Lord Chief Justice of England; and

(iii.) If the carriage is conveying or intended to convey both parcels and passengers, but not goods, then in excess of the maximum weight for the time being fixed for ordinary parcels, or for the luggage of ordinary passengers, whichever is the greater.

(*b.*) Mails, when carried in or upon a carriage conveying passengers, shall be so carried as not to inconvenience the passengers, but so nevertheless that the custody of the mails by any officer of the Post Office in charge thereof shall not be interfered with.

(*c.*) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried by the Promoters in or upon a carriage conveying or intended to convey passengers, but not goods or parcels, except in charge of an officer of the Post Office, travelling as a passenger.

(*d.*) If the Promoters carry goods, as well as passengers and parcels, the enactments relating to the conveyance of mails by railway shall, subject to the provisions of this section, apply in like manner as if the Promoters were a railway company, and the tramway were a railway.

(*e.*) The remuneration for any services which have been performed by the Promoters in pursuance of this section shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the Promoters, or, in default of agreement, by a referee, to be appointed by the Lord Chief Justice of England, at the request of either party; and this provision shall have effect in lieu of any provisions respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

(*f.*) For the purposes of this section the expression "mails" has the same meaning as in the Regulation of Railways Act, 1873, and includes parcels within the meaning of the Post Office (Parcels) Act, 1882.

(*g.*) For the purposes of this section a requisition by Her Majesty's Postmaster-General may be signified by writing under the hand of any person who is at the time either such Postmaster-General, or a secretary or assistant secretary of the Post Office, or the Inspector-General of Mails; and

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any document purporting to be signed by any such person as aforesaid, shall, until the contrary is proved, be deemed without proof of the official character of such person to have been duly signed as required by this section.

Saving for general Acts.

48. Notwithstanding anything in this Order contained, the Promoters and any person using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways, or the passengers or traffic conveyed thereon, and to any future revision or alteration under the authority of Parliament of the maximum rates of tolls and charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways, or upon the use on tramways of animal power, electrical power, steam power, or any mechanical power, by any such general Act as aforesaid.

## SCHEDULES.

### SCHEDULE A.

Brake power of engines.

Every engine used on the tramways shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating, and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient.

As to fittings of engines.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof, and shall be fitted—

With an indicator, by means of which the speed shall be shown ;

With a suitable fender to push aside obstructions ;

With a special bell, whistle, or other apparatus, to be sounded as a warning when necessary ; and

With a seat for the driver of such engine, so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails ; and all fire used on such engine shall be concealed from view.

As to carriages.

Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage.

Inspection of engines and carriages.

The Board of Trade shall, on the application of the local authority of any district in which steam, electrical, or any mechanical power is used on the tramways,

and may, on complaint made by any person, from time to time inspect any engine or carriage used on the tramways and the machinery therein, and may, whenever they think fit, prohibit the use on the tramways of any such engine or carriage which in their opinion may not be safe for use on the tramways.

As to speed.

The speed at which engines and carriages may be driven or propelled along the tramways shall not exceed the rate of eight miles an hour.

The speed at which engines and carriages may pass through moveable facing points shall not exceed the rate of four miles an hour.

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## SCHEDULE B.

### Tolls and Charges for Animals, Goods, &c.

| *Animals.* | Per Mile. s. | d. |
|---|---|---|
| For any horse, mule, or other beast of draught or burden, per head | 0 | 4 |
| For every ox, cow, bull, or head of cattle | 0 | 3 |
| For every calf, sheep, pig, or other small animal | 0 | 1½ |

| *Goods and Minerals.* | | |
|---|---|---|
| For all coal, coke, culm, charcoal, cinders, dung, compost, manures, gravel, and all undressed materials for the repair of public roads or highways, per ton | 0 | 2 |
| For all sand, lime, limestone, all stones for building, pitching, and paving, all bricks, tiles, slates, clay, chalk, marl, iron, iron stone, and iron ore, per ton | 0 | 2½ |
| For all pig iron, bar iron, hoop iron, and all other similar descriptions of wrought iron and iron castings not manufactured into utensils or other articles of merchandise, per ton | 0 | 2½ |
| For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, metals (except iron), trimmed rails, nails, anvils, vices, and chains, per ton | 0 | 3 |
| For all wools, cottons, drugs, manufactured goods, fish, and all other ware, merchandise, articles, matters, or things, per ton | 0 | 4 |

| *Parcels.* | Any Distance. s. | d. |
|---|---|---|
| For any parcel not exceeding seven pounds in weight | 0 | 3 |
| For any parcel exceeding seven pounds, but not exceeding fourteen pounds in weight | 0 | 5 |
| For any parcel exceeding fourteen pounds, but not exceeding twenty-eight pounds in weight | 0 | 7 |
| For any parcel exceeding twenty-eight pounds, but not exceeding fifty-six pounds in weight | 0 | 9 |
| For any parcel exceeding fifty-six pounds in weight, such sum as the Promoters may think fit. | | |

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*Church and Oswaldtwistle.*

Provided always that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed parcels, but that term shall apply only to single parcels in separate packages.

| *Single Articles of Great Weight.* | Per Mile. s. | d. |
|---|---|---|
| For any iron boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, exceeds four tons, but does not exceed eight tons, such sum as the Promoters may think fit, not exceeding per ton - - | 2 | 0 |
| For any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, exceeds eight tons, such sum as the Promoters may think fit. | | |

*Regulations as to Tolls.*

A fraction of a mile beyond an integral number of miles shall be deemed a mile.

For a fraction of a ton the Promoters may demand and take tolls and charges according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber, the weight shall be determined according to the imperial avoirdupois weight.

With respect to stone and timber fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

## MATLOCK TRAMWAY.

A.D. 1891.

*Matlock.*

*Order authorising the construction of a Tramway in the Parish of Matlock in the County of Derby.*

Short title. 1. This Order may be cited as the Matlock Tramway Order 1891.

Incorporation of Acts. 2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order.

Interpretation. 3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings. Provided that in this Order—

The expressions "the tramway" and "the undertaking" shall mean respectively the tramway and works and the undertaking by this Order authorised.

*Promoters.*

The Promoters. 4. The Matlock Tramway Company Limited shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Lands by agreement. 5. The Promoters may by agreement from time to time purchase take on lease and acquire for the purposes of the undertaking such lands as they may require and may from time to time sell let or dispose of any such lands which may not be necessary for such purposes and may erect or construct on any such lands any offices stables sheds workshops stores or other buildings yards works and conveniences for the purposes of the undertaking. Provided that they shall not at any time hold for such purposes as aforesaid more than five acres of land but nothing in this Order shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon lands taken under the powers of this section.

*Construction of Tramway.*

Construction of tramway. 6. The Promoters may construct and maintain subject to the provisions of this Order and in accordance with the plans and sections deposited for the purposes of this Order at the office of the Board of Trade as the same have been amended previous to the passing of the Act confirming this Order (which amended plans and sections are in this Order referred to respectively as "the deposited plans" and "the deposited sections") the tramway herein-after described with all proper rails points junctions plates offices weigh-bridges stables carriage-houses warehouses works and conveniences connected therewith or for the purposes thereof and may work and use the same.

The tramway authorised by this Order is:

A tramway (four furlongs or thereabouts in length) wholly in the parish of Matlock in the county of Derby commencing in Crown Square Matlock Bridge at a point distant twenty-five yards or thereabouts south of the lamp

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*Matlock.*

in Crown Square Matlock Bridge aforesaid passing thence north-eastwardly along Bank Road and thence turning in a northerly direction into Rutland Street and terminating in Rutland Street at a point fifteen yards or thereabouts from the imaginary centre line of Wellington Street.

The tramway shall be laid as a single line except between the following points where it shall be laid as a double line:—

In Bank Road from its commencement for a distance of 1·95 chains or thereabouts;

In Bank Road from a point distant 26·7 chains or thereabouts from its commencement and near the crossing of Smedley Street for a distance of 2·5 chains or thereabouts.

Gauge of tramway.

7. The tramways shall be constructed on a gauge of three feet six inches. Provided always that so much of section thirty-four of the Tramways Act 1870 as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the tramway but no carriage used on the tramway shall exceed six feet three inches in width.

Provisions as to construction of tramway.

8. In addition to the requirements of section twenty-six of the Tramways Act 1870 the Promoters shall at the same time as they give notice to the road authority of their intention to open or break up any road for the purpose of constructing laying down maintaining or renewing the tramway lay before the Board of Trade and the road authority a plan showing the proposed mode of constructing laying down maintaining and renewing such tramway and a statement of the materials intended to be used therein and the Promoters shall not commence the construction laying down maintenance or renewal of the tramway or any part of the tramway except for the purpose of necessary repairs until such plan and statement have been approved by the Board of Trade and by the road authority and after such approval the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the surveyor for the time being of the road authority as provided by section twenty-six of the said Act.

As to rails of tramway.

9. The rails of the tramway shall be such as are described on the deposited sections or such as the Board of Trade may approve and the Board of Trade may from time to time upon the application of the road authority of the district in which the tramway or any portion thereof is situate require the Promoters to adopt and apply such improvements in the tramway within such district including the rails thereof as experience may from time to time suggest having regard to the greater security of the public and advantage to the ordinary traffic and the Promoters shall with all reasonable despatch comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

10. The Promoters shall at all times maintain and keep in good condition and repair to the satisfaction of the road authority and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramway and the substructure upon which the same rest and if the Promoters at any time make default in complying with this provision or with any of the requirements of section twenty-eight of the Tramways Act 1870 they shall without prejudice to any other remedy

of the road authority or of any person or persons against them for every such offence be subject on information laid or complaint made to a penalty not exceeding five pounds and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues and such penalty may be recovered as by section fifty-six of the said Act is provided.

In any case in which it is represented in writing to the Board of Trade by the road authority of any district in which the tramway or any portion thereof is situate or by twenty inhabitant ratepayers of such district that the Promoters have made any such default as aforesaid the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by the Board of Trade may be adduced as evidence of such default and of the liability of the Promoters to such penalty or penalties in respect thereof as is or are imposed by this section.

Paving and materials of roadway.

11. So much of any road in any district upon which the tramway is laid as the Promoters are under the provisions of the Tramways Act 1870 or this Order required to repair shall be paved and maintained with such paving material and foundations as the road authority of such district shall reasonably require.

Local authority to have access to sewers.

12. Every local authority and their officers and servants shall at all times have free access to and communication with all their sewers and drains and power to lay lateral and private drains to communicate therewith without the consent or concurrence of the Promoters and the provisions contained in sections thirty-two and thirty-three of the Tramways Act 1870 shall be applicable in the case of any sewer or private drain of or under the control of the local authority as though the same were a pipe for the supply of gas or water.

Tramway to be kept on a level with surface of road.

13. If any road authority hereafter alter the level of any road along or across which the tramway is laid or authorised to be laid the Promoters shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Additional crossings &c. may be made where necessary.

14. The Promoters may subject to the provisions of this Order from time to time make maintain alter and remove all such crossings passing places sidings junctions turnouts and other works in addition to those particularly specified in and authorised by this Order as may from time to time be necessary or convenient for the efficient working of the tramway or for facilitating the traffic of the roads in which the same is laid or for providing access to any stables carriage houses sheds or works of the Promoters subject in each case to the approval of the road authority. Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road if any owner or occupier of any house shop or warehouse abutting on the place where such rail is proposed to be laid by notice in writing under his hand addressed to the Promoters express his objection thereto.

Temporary tramways may be made where necessary.

15. Where by reason of the execution of any work affecting the surface or soil of any road along which the tramway is laid it is in the opinion of the

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road authority necessary or expedient temporarily to remove or discontinue the use of the tramway or any part thereof the Promoters may with the consent of the road authority and subject to such conditions and in accordance in all respects with such regulations as the road authority may from time to time make construct in the same or any adjacent road and with the like consent subject to the like conditions and in accordance with the like regulations maintain so long as occasion may require a temporary tramway in lieu of the tramway or part of the tramway so removed or discontinued.

If any difference arise between the Promoters and any road authority with respect to the reasonableness of any conditions or regulations or with respect to the mode of constructing any temporary tramway under the authority of this section the same shall be settled in the manner specified in section thirty-three of the Tramways Act 1870 for the settlement of the differences in the said section mentioned.

Application of road materials excavated in construction of works.

16. Any paving metalling or material excavated by the Promoters in the construction of their works from any road under the jurisdiction or control of any road authority may be applied by the Promoters so far as may be necessary in or towards such works or in or towards the reinstating of such road and the maintenance for six months after the completion of the tramway within the district of such road authority of so much of the roadway on either side of the tramway as the Promoters are by section twenty-eight of the Tramways Act 1870 or by this Order required to maintain and the Promoters shall if so required deliver the surplus paving metalling or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority or to such person or persons as he may appoint to receive the same. Provided that if within seven days after the setting aside of the surplus arising from the excavation of any such paving metalling or material and notice thereof duly given to the road authority such surplus is not removed by such surveyor or by some other person named by him for that purpose such surplus paving metalling or material or so much thereof as may not have been removed by such surveyor or person shall absolutely vest in and belong to the Promoters and may be dealt with removed and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority or surveyor or other person with reference to any of the matters aforesaid shall be determined in manner provided by the Tramways Act 1870 with respect to differences between the Promoters and any road authority.

Tramway not to be opened until certified by Board of Trade.

17. The tramway shall not be opened for public traffic until the same has been inspected and certified to be fit for such traffic by the Board of Trade.

*Motive Power.*

Carriages on tramway may be moved by cable power.

18. The carriages used on the tramway may subject to the provisions of this Order during a period of seven years after the opening of the same for public traffic and with the consent of the Board of Trade during such further periods not exceeding seven years as the said Board may from time to time specify in any order to be signed by a secretary or an assistant secretary of the said Board, be moved by cable power that is to say by wire ropes placed underground and

worked by stationary engine power upon the system at present known as the continuous conduit system of cable tramways or such other system as may from time to time be approved by the Board of Trade.

Provided always that the exercise of the powers hereby conferred with respect to the use of cable power shall be subject to the regulations set forth in the Schedule A to this Order annexed and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time as and when they may think fit for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of cable power on the tramway.

Penalty for using cable power contrary to order or regulations.

19. The Promoters or any person using cable power on the tramway contrary to the provisions of this Order or to any of the regulations set forth in the Schedule A to this Order annexed or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues after conviction therefor. Provided always that whether any such penalty has been recovered or not the Board of Trade in case in their opinion the Promoters or any person using cable power on the tramway under the authority of this Order have or has made default in complying with the provisions of this Order or with any of the regulations set forth in the Schedule A to this Order annexed or with any regulation which may have been added thereto or substituted therefor as aforesaid may by order direct the Promoters or such person to cease to exercise the powers aforesaid and thereupon the Promoters or such person shall cease to exercise the powers aforesaid and shall not again exercise the same or any of the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Byelaws.

20. Subject to the provisions of this Order the Board of Trade may from time to time make and when made may rescind annul or add to byelaws with regard to the tramway for all or any of the following purposes (that is to say) :—

For regulating the use of the bell whistle or other warning apparatus fixed to the carriages ;

For regulating the emission of smoke or steam from engines used in working the tramway ;

For providing that carriages shall be brought to a stand at the intersection of cross streets and at such places and in such cases of horses being frightened or of impending danger as the Board of Trade may deem proper for securing safety ;

For regulating the entrance to exit from and accommodation in the carriages used on the tramway and the protection of passengers from the machinery used for drawing or propelling such carriages ;

For limiting the number of carriages for the conveyance of animals goods minerals or parcels to be drawn or propelled together by cable power and the hours during which such carriages may be used on the tramway ;

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For providing for the due publicity of all regulations and byelaws in force for the time being in relation to the tramway by exhibition of the same in conspicuous places on the carriages and elsewhere;

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

21. The provisions of the Tramways Act 1870 with respect to the recovery of penalties shall apply to any penalty under this Order and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of Tramways Act 1870 as to byelaws by local authority.

22. The provisions of the Tramways Act 1870 relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by this Order or by any regulation made by the Board of Trade under the authority of this Order at which carriages are to be drawn or propelled on the tramway under the authority of this Order but the local authority may if they think fit make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

Orders and byelaws to be signed, &c.

23. All orders and byelaws made and consents approvals and certificates given by the Board of Trade under the authority of this Order shall be signed by a secretary or an assistant secretary of the Board of Trade and when purporting to be so signed the same shall be deemed to have been duly made or given in accordance with the provisions of this Order and to be orders and regulations within the meaning of the Documentary Evidence Act 1868 and may be proved accordingly.

As to contracts with road authorities where cable power used.

24. Before the Promoters or any person use or uses cable power under the authority of this Order on the tramway or any part thereof they or he shall give two months' previous notice in writing of such intention to every road authority within whose district the tramway or such part thereof upon which they or he intend or intends to use such power are or is situate.

Before using cable power on the tramway or any part thereof and thereafter from time to time the Promoters or such person and every such road authority may enter into or renew with or without modification any contract agreement or arrangement with respect to the user by the Promoters or such person or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the tramway or such part of the tramway is laid or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user paving and keeping in repair of such road which they may think fit and the Board of Trade may approve.

In case any such road authority after request in writing by the Promoters or such person or the Promoters or such person after request in writing by any such road authority during a period of one month after such request refuse or fail to enter into any such contract agreement or arrangement or to renew the same with or without modification or to make a new contract instead thereof or in case of any difference as to the terms of any such contract agreement or

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arrangement or any renewal thereof with or without modification or any new contract instead thereof then and in every such case the difference with respect to the reasonableness of such refusal or failure or the terms of such contract agreement or arrangement or any renewal thereof with or without modification or any new contract instead thereof shall from time to time on the appeal of either of the parties to the Board of Trade be determined in manner provided by the Tramways Act 1870 with respect to differences between the Promoters and any road authority and thereupon the parties shall in all respects conform to such determination and make and observe any contract agreement or arrangement thereby prescribed. Provided always that while any such appeal is pending the Board of Trade may order that no cable power shall be used on the tramway to which such appeal relates.

No cable power shall be used on the tramway or any part of the tramway unless there is in force in relation to the tramway or such part of the tramway a contract agreement or arrangement in accordance with the provisions of this section.

Any moneys which may from time to time be received by such road authority under any contract agreement or arrangement in accordance with the provisions of this section shall be applied by them towards the expenses of repairing improving and maintaining the highways within their district having regard in the first instance to the requirements of the roads upon which the tramway is laid.

Where cable power is used contract with road authority not to be for longer period than two years at a time.

25. Where cable power is used by the Promoters or any person on the tramway or any part thereof no contract agreement or arrangement made before or after the commencement of the use of cable power as aforesaid between the Promoters or such person and any road authority with respect to the user by the Promoters or such person or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the tramway or such part of the tramway is laid or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user paving and keeping in repair of such road shall continue in force for any period exceeding two years at any one time after the commencement of the use of cable power as aforesaid or the making of such contract agreement or arrangement. Provided always that any such contract agreement or arrangement may from time to time be renewed with or without modification or a new contract agreement or arrangement may be made instead thereof.

*Traffic upon Tramway.*

Traffic upon tramway.

26. The tramway may be used for the purpose of conveying passengers animals goods minerals and parcels.

Railway carriages not to be used on tramway

27. No carriages or trucks constructed or adapted for use upon railways shall be used upon the tramway.

Promoters not bound to carry animals goods &c.

28. The Promoters shall not be bound to carry unless they think fit any animals goods minerals or parcels other than passengers' luggage not exceeding twenty-eight pounds in weight.

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Provision as to carriage of animals goods &c. in separate carriages.

29. In case the Promoters carry animals goods minerals or parcels they may and when required by the local authority shall carry the same in separate carriages or separate parts of carriages set apart for that purpose. Provided that this provision shall not apply to the carriage of passengers' luggage.

*Tolls.*

Tolls for passengers.

30. The Promoters may demand and take for every passenger travelling upon the tramway or any part thereof including tolls and charges for the use of the tramway and of carriages and for motive power and every other expense incidental to such conveyance any tolls or charges not exceeding three pence either way.

Passengers' luggage.

31. Every passenger travelling upon the tramway may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof all such personal luggage to be carried by hand and at the responsibility of the passenger and not to occupy any part of a seat nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

32. The Promoters at all times after the opening of the tramway or any part thereof for public traffic shall if required so to do by the Board of Trade or the local authority run at least one carriage each way every morning in the week and every evening in the week (Sundays Christmas Day and Good Friday always excepted) at such hours not being later than seven in the morning or earlier than six in the evening respectively as the Promoters think most convenient for artizans mechanics and daily labourers at tolls or charges not exceeding one penny. Provided that in case of any complaint made to the Board of Trade as to the hours appointed by the Promoters for the running of such carriages the said Board shall have power to fix and regulate the same from time to time.

Tolls for animals goods &c.

33. The Promoters may demand and take in respect of any animals goods minerals or parcels conveyed by them on the tramway except as is by this Order specially provided including the tolls and charges for the use of the tramway and for waggons or trucks and for motive power and every other expense incidental to such conveyance any tolls or charges not exceeding the tolls and charges specified in the Schedule B to this Order annexed subject to the regulations in that behalf therein contained.

Payment of tolls.

34. The tolls and charges by this Order authorised shall be paid to such persons and at such places upon or near to the tramway and in such manner and under such regulations as the Promoters may by notice to be annexed to the list of tolls and charges appoint.

Periodical revision of tolls.

35. If at any time after three years from the opening for public traffic of the tramway or any portion of the tramway or after three years from the date of any order made in pursuance of this section in respect of the tramway or any portion of the tramway it is represented in writing to the Board of Trade by the local authority of any district in which the tramway or such portion of the tramway is wholly or partially situate or by twenty inhabitant ratepayers

of any such district or by the Promoters that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on the tramway or on such portion of the tramway should be revised the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act 1870 and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised the said Board may make an order in writing altering modifying reducing or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramway or on such portion of the tramway in such manner as they may think fit and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section. Provided always that the tolls and charges prescribed by any such order shall not exceed in amount the tolls and charges by this Order authorised. Provided also that a copy of this section shall be annexed to every table or list of tolls published or exhibited by the Promoters.

*Miscellaneous.*

Power to hold patents.

36. The Promoters may subject to the provisions of this Order (but only for the purposes of the undertaking and not so as to acquire any exclusive right therein) acquire hold and use any patent or other rights and any licenses to use patent rights relating to the construction or working of tramways or the carriages used thereon or the engines and appliances used in connection therewith.

Provisions as to arbitration.

37. Where under the provisions of the Tramways Act 1870 and this Order any matter in difference is referred to the arbitration of any person nominated by the Board of Trade the provisions of the Arbitration Act 1889 shall apply to every such arbitration and the decision of the arbitrator shall be final and conclusive and binding on all parties and the costs of and incidental to the arbitration and award shall if either party so require be taxed and settled as between the parties by any one of the taxing masters of the High Court of Justice and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of such masters and all those enactments including the enactments relating to the taking of fees by means of stamps shall extend to the fees in respect of the said taxation.

Form and delivery of notices.

38. With respect to notices and to the delivery thereof by or to the Promoters the following provisions shall have effect (that is to say):—

(1) Every notice shall be in writing and if given by the Promoters or by any local authority or any road authority shall be signed by their secretary or clerk;

(2) Any notice to be delivered by or to the Promoters to or by any local authority or any road authority or other body or any company may be delivered by being left at the principal office of such authority body or company or of the Promoters as the case may be or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office.

Agreements between Promoters and road authorities.

39. The Promoters may subject to the provisions of this Order from time to time enter into agreements with any road authority with respect to the construction maintaining removing renewing repairing and using of the tramway

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situated within the district of such road authority and the rails plates sleepers and works connected therewith and the facilitating the passage of the traffic over the same.

Power to enter into agreements with respect to traffic.

40. The Promoters or any person using the tramway under the authority of this Order may with the consent of the Board of Trade from time to time but subject to the provisions of this Order enter into agreements with any company or person with respect to the receiving from or forwarding to any such company or person any animals goods minerals or parcels and the fixing collecting and apportionment of tolls charges or other receipts arising in respect of such traffic.

Approval of Board of Trade to sale.

41. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing.

Saving as to powers of borrowing on mortgage.

42. Nothing in this Order or in the Tramways Act 1870 contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage. Provided that every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Promoters in the event of a compulsory sale of the undertaking or any part thereof to the local authority under section forty-three of the Tramways Act 1870 and that any mortgage granted by the Promoters shall not be a charge upon the undertaking or any part thereof in the event of the undertaking or such part being purchased by the local authority under section forty-three of the Tramways Act 1870 and that every mortgage deed granted by the Promoters shall be endorsed with notice to that effect.

Carrying of mails by Promoters.

43.—(1) The Promoters if required by the Postmaster-General shall perform with respect to any tramway owned or worked by them all such reasonable services in regard to the conveyance of mails as Her Majesty's Postmaster-General from time to time requires. Provided as follows:—

(a) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried by the Promoters in or upon any carriage (that is to say):

(i) If the carriage is conveying or intended to convey passengers and not goods or parcels then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers; and

(ii) If the carriage is conveying or intended to convey parcels only then in excess of such maximum weight as is for the time being fixed for ordinary parcels or if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such carriage then as is for the time being fixed by agreement or in default of agreement by a referee to be appointed at the request of either party by the Lord Chief Justice of England; and

(iii) If the carriage is conveying or intended to convey both parcels and passengers but not goods then in excess of the maximum weight for the time being fixed for ordinary parcels or for the luggage of ordinary passengers whichever is the greater.

(b) Mails when carried in or upon a carriage conveying passengers shall be so carried as not to inconvenience the passengers but so nevertheless that the custody of the mails by any officer of the Post Office in charge thereof shall not be interfered with.

(c) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried by the Promoters in or upon a carriage conveying or intended to convey passengers but not goods or parcels except in charge of an officer of the Post Office travelling as a passenger.

(d) If the Promoters carry goods as well as passengers and parcels the enactments relating to the conveyance of mails by railway shall subject to the provisions of this section apply in like manner as if the Promoters were a railway company and the tramway were a railway.

(2) The remuneration for any services which have been performed by the Promoters in pursuance of this section shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the Promoters or in default of agreement by a referee to be appointed by the Lord Chief Justice of England at the request of either party and this provision shall have effect in lieu of any provisions respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

(3) For the purposes of this section the expression "mails" has the same meaning as in the Regulation of Railways Act 1873 and includes parcels within the meaning of the Post Office (Parcels) Act 1882.

(4) For the purposes of this section a requisition by Her Majesty's Postmaster-General may be signified by writing under the hand of any person who is at the time either such Postmaster-General or a secretary or assistant secretary of the Post Office or the Inspector-General of Mails and any document purporting to be signed by any such person as aforesaid shall until the contrary is proved be deemed without proof of the official character of such person to have been duly signed as required by this section.

Saving for general Acts.

44. Notwithstanding anything in this Order contained the Promoters and any person using the tramways shall be subject and liable to the provisions of any general Act now in force or which may hereafter be passed during this or any future session of Parliament relating to tramways or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon and to any future revision or alteration under the authority of Parliament of the maximum rates of tolls and charges authorised by this Order and to any condition regulation or restriction which may be imposed upon the use of tramways or upon the use on tramways of animal power or steam cable electrical or any mechanical power by any such general Act as aforesaid.

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*Matlock.*

# SCHEDULES.

## SCHEDULE A.

Break power. The cable power used on the tramways shall be fitted with such appliances for preventing the same from operating and for bringing such cable power and any carriage drawn or propelled by such cable power to a stand as the Board of Trade may from time to time think sufficient.

At to fittings of carriages &c. Every carriage used on the tramways shall have its number shown in some conspicuous part thereof and shall be fitted—

With an indicator by means of which the speed shall be shown ;

With a suitable fender to push aside obstructions ;

With a special bell whistle or other apparatus to be sounded as a warning when necessary; and

With a seat for the conductor so placed in front of such carriage as to command the fullest possible view of the road before him.

As to carriages. Every carriage used on the tramways shall be so constructed as to provide for the safety of the passengers and for their safe entrance to exit from and accommodation in such carriage and their protection from the machinery of the cable power used for drawing or propelling such carriage.

Inspection of engines and carriages. The Board of Trade shall on the application of the local authority of any district in which the tramway or any part thereof is situate and may on complaint made by any person from time to time inspect any engine or carriage used on or in connection with the tramway and the machinery therein and may whenever they think fit prohibit the use of any such engine or carriage which in their opinion may not be safe for use on or in connection with the tramway.

As to speed. The speed at which carriages may be drawn or propelled along the tramway shall not exceed the rate of eight miles an hour.

The speed at which carriages may pass through movable facing points shall not exceed the rate of four miles an hour.

## SCHEDULE B.

TOLLS AND CHARGES FOR ANIMALS GOODS &C.

| *Animals.* | | Any distance. s. | d. |
|---|---|---|---|
| For every horse mule or other beast of draught or burden | per head | 0 | 9 |
| For every ox cow bull or head of cattle - - - - - | | 0 | 9 |
| For every calf pig sheep or other small animal - - - - | | 0 | 6 |

*Goods and Minerals.*

| | | | |
|---|---|---|---|
| For all coals coke culm charcoal cinders dung compost manures gravel and all undressed materials for the repair of public roads or highways per ton - - - - - - - - - - | 1 | 6 |

| | Any distance. s. | d. |
|---|---|---|
| For all sand lime limestone all stones for building pitching and paving all bricks tiles slates clay chalk marl iron ironstone and iron ore per ton | 1 | 6 |
| For all pig-iron bar-iron hoop-iron and all other similar descriptions of wrought iron and iron castings not manufactured into utensils or other articles of merchandise per ton | 1 | 6 |
| For all sugar grain corn flour hides dyewoods earthenware timber staves deals metals (except iron) trimmed rails nails anvils vices and chains per ton | 1 | 0 |
| For all wools cottons drugs manufactured goods fish and all other ware merchandise articles matters or things per ton | 1 | 0 |

*Parcels.*

| | | |
|---|---|---|
| For any parcel not exceeding seven pounds in weight | 0 | 3 |
| For any parcel exceeding seven pounds but not exceeding fourteen pounds in weight | 0 | 5 |
| For any parcel exceeding fourteen pounds but not exceeding twenty-eight pounds in weight | 0 | 7 |
| For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight | 0 | 9 |

For any parcel exceeding fifty-six pounds in weight such sum as the Promoters may think fit.

Provided always that articles sent in large aggregate quantities although made up in separate parcels such as bags of sugar coffee meal and the like shall not be deemed parcels but that term shall apply only to single parcels in separate packages.

*Single Articles of Great Weight.*

| | Any distance. s. | d. |
|---|---|---|
| For the carriage of any boiler cylinder or single piece of machinery or single piece of timber or stone or other single article the weight of which including the carriage exceeds four tons but does not exceed eight tons such sum as the Promoters may think fit not exceeding per ton | 3 | 0 |

For the carriage of any single piece of timber stone machinery or other single article the weight of which with the carriage exceeds eight tons such sum as the Promoters may think fit.

*Regulations as to Tolls.*

For a fraction of a ton the Promoters may demand and take tolls and charges according to the number of quarters of a ton in such fraction and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton.

With respect to all articles except stone and timber the weight shall be determined according to the imperial avoirdupois weight.

With respect to stone and timber 14 cubic feet of stone 40 cubic feet of oak mahogany teak beech or ash and 50 cubic feet of any other timber shall be deemed one ton weight and so in proportion for any smaller quantity.

# Tramways Provisional Orders Confirmation (No. 1). [H.L.]

A

# B I L L

INTITULED

An Act to confirm certain Provisional Orde made by the Board of Trade under th Tramways Act, 1870, relating to Bradfo and Wyke Tramways, Church and Oswal twistle Tramways, and Matlock Tramway.

(*Brought from the Lords* 16 *June* 1891.)

*Ordered, by* The House of Commons, *to be Printed*, 16 *June* 1891.

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[*Price* 5½*d.*]

[Bill 369.]

A

# B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act, 1870, relating to Birmingham Central Tramways, Bristol Tramways (Extension), and Liverpool Corporation Tramways (Extensions). A.D. 1891.

WHEREAS under the authority of the Tramways Act, 1870, the Board of Trade have made the several Provisional Orders set out in the schedule to this Act annexed:

And whereas a Provisional Order made by the Board of Trade under the authority of the said Act is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Act, and set out in the schedule to this Act annexed, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited as the Tramways Orders Confirmation (No. 2) Act, 1891.

Confirmation of Orders in Schedule.

**2.** The several Orders as amended and set out in the schedule to this Act annexed shall be and the same are hereby confirmed; and all the provisions thereof, in manner and form as they are set out in the said schedule, shall, from and after the passing of this Act, have full force and validity, and the dates of the same respectively shall be the date of the passing of this Act.

Protection of houses of labouring classes.

**3.** The Promoters mentioned in the said Orders shall not, in the exercise of the powers of this Act, or of the said Orders, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary

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district, ten or more houses which, after the passing of this Act have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

## SCHEDULE.

### LIST OF ORDERS.

BIRMINGHAM CENTRAL TRAMWAYS.—Order authorising the construction of tramways in the city of Birmingham, in the county of Warwick, and for other purposes.

BRISTOL TRAMWAYS (EXTENSION).—Order authorising the Bristol Tramways and Carriage Company, Limited, to construct tramways in the city of Bristol and the neighbourhood thereof, and in the counties of Somerset and Gloucester, and for other purposes.

LIVERPOOL CORPORATION TRAMWAYS (EXTENSIONS).—Order authorising the Mayor, Aldermen, and Citizens of the city of Liverpool to construct additional tramways in the said city.

## BIRMINGHAM CENTRAL TRAMWAYS.

A.D. 1891.

*Birmingham.*

*Order authorising the construction of tramways in the city of Birmingham, in the county of Warwick, and for other purposes.*

Short title.

1. The Order may be cited as the Birmingham Central Tramways Order, 1891.

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the Promoters of the undertaking) and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are inconsistent with or expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings.

Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised;

The expression "the Corporation Order, 1885," shall mean the Birmingham Corporation Tramways Order, 1885;

The expression "the Surburban Order, 1882," shall mean the Birmingham and Suburban Tramways Order, 1882;

The expression "the Harborne Order, 1883," shall mean the Edgbaston and Harborne Tramways Order, 1883;

The expression "the North Birmingham Order, 1884," shall mean the North Birmingham Tramways Order, 1884;

The expression "the South Birmingham Order, 1886," shall mean the South Birmingham Tramways (Extension) Order, 1886;

The expressions "the city" and "the Corporation" shall mean respectively the city of Birmingham, in the county of Warwick, and the mayor, aldermen, and citizens of the said city acting by the council;

The expressions "mechanical power" or "mechanical appliances" shall include the engines, tubes, wires, ropes, chains, cables, brake-power, fittings, and all other appliances or things which shall form part of or be required for or be used in connexion with the steam, electrical, or mechanical power authorised to be used on the tramways; and

The expressions "the local authorities" and "the road authorities" shall mean respectively the local authorities and the road authorities of the district within which the tramways are by this Order authorised to be constructed.

*Promoters.*

The Promoters.

4. The Birmingham Central Tramways Company, Limited, shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters."

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*Birmingham.*

Lands by agreement.

5. The Promoters may, by agreement from time to time, purchase, take on lease, and acquire for the purposes of the Undertaking such lands as they may require, and may from time to time sell, let, and dispose of any such lands which may not be necessary for such purposes. Provided that they shall not at any time hold for such purposes more than five acres of land, but nothing in this Order shall exonerate the Promoters from any indictment, action, or other proceeding for nuisance, in the event of any nuisance being caused by them upon lands taken under the powers of this section.

*Construction of Tramways.*

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order at the office of the Board of Trade (which plans and sections are in this Order respectively referred to as "the deposited plans" and "the deposited sections"), the tramways hereinafter described, with all proper rails, plates, tubes, channels, offices, weigh-bridges, turn-tables, engine sheds, stables, carriage-houses, warehouses, works, mechanical appliances and conveniences connected therewith or for the purposes thereof and may work and use the same.

The tramways authorised by this Order are:—

Tramway No. 1—2·80 chains in length, commencing by a junction with the existing tramway in Suffolk Street, authorised to be altered and reconstructed by the Corporation Order, 1885, at a point 0·90 chain or thereabouts south-east of the intersection of Navigation Street with Suffolk Street, and passing thence in a north-westerly direction along Suffolk Street and terminating therein, at a point 0·70 chain or thereabouts south-east of its intersection with Allport Street.

Tramway No. 1 may be laid as a double line of tramway for its whole length.

Tramway No. 2—1·50 chains in length, commencing by a junction with Tramway No 1 in Suffolk Street, on the westerly side of the centre line of the street, at a point 0·75 chain or thereabouts north-west of the intersection of Suffolk Street with Navigation Street, and passing thence in a south-easterly direction along Suffolk Street, and easterly into and along Navigation Street to a point in that street 0·90 chain or thereabouts east of the intersection of Suffolk Street with Navigation Street, forming a junction with Tramway No. 3, on the south side of the centre line of Navigation Street.

Tramway No. 2 may be laid as a single line of tramway for its whole length.

Provided always that Tramway No. 2 shall not be constructed without the consent in writing of the Corporation.

Tramway No. 3—6·62 chains in length, commencing by a junction with the existing tramway in Suffolk Street authorised to be altered and reconstructed by the Corporation Order, 1885, at a point 0·90 chain or thereabouts south-east of the intersection of Navigation Street and Suffolk Street, and passing thence in a north-westerly and northerly direction along Suffolk Street, and thence in a north-easterly direction

into and along Navigation Street, and terminating therein at a point 1·14 chain or thereabouts south-west of the intersection of Hill Street with Navigation Street.

Tramway No. 3 may be laid as a double line of tramway for its whole length.

The tramways will be wholly situate in the city of Birmingham.

Gauge of tramways.

7. The tramways shall be constructed on a gauge of three feet six inches. Provided always that so much of section thirty-four of the Tramways Act, 1870, as limits the extent of the carriages used on any tramway, beyond the outer edge of the wheels of such carriages, shall not apply to carriages used on the tramways; but no carriage or engine used on the tramways shall exceed six feet three inches in width, or such other width as may from time to time be prescribed by the Board of Trade.

Power to lay double lines in place of single, and vice versâ.

8. The Promoters in any street in the city in which, by virtue of the provisions of this Order, they may have laid down or are authorised to lay down a single line of tramway may, with the consent of the Board of Trade, by order in writing, in lieu thereof lay down a double line of tramway, and in any such street in which by virtue of the like provisions they may have laid down or are authorised to lay down a double line of tramway they may with the like consent in lieu thereof lay down a single line of tramway; provided nevertheless that in the construction of any such works no rail shall, except with the like consent of the Board of Trade, be so laid that a less space than nine feet six inches shall intervene between such rail and the outside of the footpath on either side of the road if any owner or occupier of any house, shop, or warehouse abutting upon the place where such rail is proposed to be laid, by notice in writing, under his hand, addressed to the Promoters, express his objection thereto.

Extending to this Order certain provisions of the Suburban Order, 1882.

9. Save as by this Order otherwise expressly provided, the following provisions of the Suburban Order, 1882 (with respect to construction of tramways), that is to say, sections 9 to 16 (both inclusive), 18 to 37 (both inclusive), and section 39 shall so far as applicable extend and apply to the tramways and undertaking by this Order authorised, and for the purposes of such application the expressions "the tramways," "the undertaking," "the local authorities," "the road authorities," "the Promoters," and "this Order," in the said provisions shall be construed to mean respectively the tramways and the undertaking and the local authorities and the road authorities as defined respectively by this Order, the Promoters of this Order, and this Order.

Power to Corporation to elect to be substituted for Promoters as to tramways.

10. The powers in this Order contained for the construction and maintenance of the tramways by the Promoters, shall be suspended for three months from the passing of the Act confirming this Order, and the Corporation if they so decide by a resolution passed at a special meeting, may within a period of three months, after the passing of the Act confirming this Order, intimate to the Promoters by notice in writing the intention of the Corporation to be substituted in the place of the Promoters for the purposes of this Order, so far as the same relate to the tramways, and thereupon provided that the Corporation shall also cause a copy of such notice to be published within the like period once in the "London Gazette," all the rights, powers and authorities conferred by this Order upon the Promoters, as to the construction, maintenance and use of the tramways, and the

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*Birmingham.*

works connected therewith or incidental thereto, shall, subject to the provisions hereinafter contained, be transferred to and vested in and may thenceforward be exercised by the Corporation in like manner as if the Corporation had been in the first instance authorised by this Order to construct such tramways and works, and the Corporation shall as to the tramways be deemed to be the Promoters of this Order, instead of the Promoters, and this Order shall be construed accordingly, and the Corporation may pay all expenses incurred by them in carrying into effect the provisions of this Order out of the local rate, and shall have the like powers to borrow on the same security as if such expenses were expenses incurred in carrying into effect the purposes of a Provisional Order applied for and obtained by them under the Tramways Act, 1870. Provided always that the provisions of this Order with respect to the traffic and tolls and charges by this Order authorised in relation to the tramways shall be applicable to and shall be observed by and the said tolls and charges may be demanded and taken by the lessees of the Corporation, as though they were the Promoters. Provided also that nothing in this Order contained shall authorise the Corporation to place or run carriages on any of the tramways, and to demand and take tolls or charges in respect of the use of such carriages.

Payment of security by Promoters to Corporation prior to commencing tramways.

11. In case the Corporation elect to construct the tramways, they shall not be required to commence the same until the Promoters have paid to the Corporation a sum of money, to be calculated at the rate of two thousand five hundred pounds for every mile of single line of tramway by this Order authorised to be laid, and so in proportion for any length less than a mile (hereinafter referred to as "the security fund"), to be paid and applied as hereinafter mentioned or have given to the Corporation a mortgage or other adequate security for a like sum, to be approved by the Corporation; but when such sum has been paid, as hereinafter mentioned, or such mortgage or other security has been given, the Corporation shall forthwith thereafter commence to construct the tramways, and they shall complete the same within six months after the commencement of the same, and within two years from the passing of the Act confirming this Order.

Notice by Corporation of intention to construct tramways.

12. The Corporation shall give notice in writing to the Promoters of their intention to begin to construct any of the tramways to be specified in such notice, and the Promoters shall, within fourteen days from the date of receiving such notice, pay to the Corporation on account of the security fund, a sum at the rate of two thousand five hundred pounds for every mile of single line of tramway to be laid along the route specified in such notice, and so in proportion for any length less than a mile or give security as aforesaid for a like sum: Provided always that the Promoters may, on receipt of the first or any subsequent such notice, pay to the Corporation or give security as aforesaid for the whole of the balance then remaining unpaid of the security fund required to be paid or secured as aforesaid.

Lease of tramways by Corporation to Promoters.

13. If and when the tramways have been completed by the Corporation, the Corporation shall, at the request and cost of the Promoters, execute a lease of the same to the Promoters, for the term of twenty-one years, at the rent, upon the terms, and subject to the conditions specified in the form of the draft lease signed in duplicate by the town clerk of the city and the secretary of the

Promoters, one copy of which is deposited with the said town clerk at the Council House, and the other copy of which is deposited with the secretary of the Promoters, or as near thereto as circumstances will permit, subject to the approval of the Board of Trade, and the Promoters shall accept such lease and execute a counterpart thereof. The Corporation may, if they think fit, include in any lease granted by them under this section any other tramways of the Corporation in respect of which there is not a lease then subsisting.

Application of security fund, &c.

14. The security fund, or the mortgage, or other security for the same shall be retained by the Corporation as a security for the due payment of the rent and performance of the covenants and conditions contained in such lease as aforesaid, with power to resort to such fund, or to raise money on such mortgage or other security for the payment of any arrears of rent or damages sustained by breach of any of the said covenants or conditions, and of any other deductions to be made under the terms of such lease. The said fund shall at the request of the Promoters, but at their risk, be invested in such securities as the Corporation may approve, and the interest thereon shall be paid to the Corporation for their own use, but the Corporation shall pay half-yearly to the Promoters throughout the said term interest on the security fund, or the balance thereof, at the rate of four per centum per annum during the first fourteen years of the lease, and of five per centum per annum during the remainder of the lease, and at the expiration or determination of such lease the balance, if any, of the security fund shall be repaid to the Promoters, and any mortgage or other security which may be given as aforesaid shall, after payment of any moneys raised on the security of the same, cease to have any validity or effect, and the property (if any) remaining comprised therein shall at the request and cost of the Promoters be reconveyed to the Promoters or as they shall direct.

Forfeiture of security fund in case of default.

15. If the Promoters fail to accept such lease or to execute a counterpart thereof, or fail to work the tramways in accordance with the provisions of such lease, and of this Order, and of the Tramways Act, 1870, at any time during the period of two years from the completion thereof or within the same period make default in payment of the rent reserved by such lease the security fund or the amount secured by such mortgage or other security shall be forfeited to the Corporation, who may apply the same either to the reinstatement of the roads within the city or otherwise for the general benefit of the city.

In case Corporation construct or purchase tramways certain provisions of Corporation Order, 1885, to apply.

16. In case the Corporation elect to construct and construct the tramways, or in case they purchase the tramways and undertaking, the provisions of the Suburban Order, 1882, which are hereinafter extended and made applicable to the tramways, and the undertaking shall, on and after the date of the certificate of the Board of Trade that the tramways are fit for public traffic or the date of such purchase, as the case may be, cease to apply to the tramways or undertaking, and the following provisions of the Corporation Order, 1885, viz., sections 22 to 30 (both inclusive), section 32, sections 36 to 48 (both inclusive) and sections 50, 51 and 52, shall thereupon, so far as the same are applicable, extend and apply to the tramways and the undertaking in lieu of the said provisions of the Suburban Order, 1882, and for the purposes of such application the expressions "the tramways," "the undertaking," and "the lessees" in the said provisions of the Corporation Order, 1885, shall be construed to include, respectively the tramways and works and the undertaking by this Order

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authorised, and the Promoters of this Order, and the expression "mechanical power" in the said provisions shall, for such purposes, be construed to include electrical power, and any power other than animal power.

*Motive Power.*

Carriages may be moved by animal, steam, electrical or mechanical power.

17. The carriages used upon the tramways may, subject to the provisions of this Order, be moved by animal power, and with the consent in writing of the Board of Trade during a period of seven years from the time specified in such consent, and with the like consent during such further periods, not exceeding seven years, as the said Board may from time to time specify in any order to be signed by a secretary or an assistant secretary of the said Board, by means of steam, electrical, mechanical, or any power other than animal power (including haulage by wire ropes, cables or chains placed underground).

Provided always that no power other than animal power shall be used upon any of the tramways without the consent in writing of the Corporation, which consent the Corporation are hereby empowered to give, and that in the event of the Corporation themselves constructing or purchasing the tramways, the lessees under any lease made by the Corporation, shall not use any power other than animal power upon the tramways or any part thereof, unless they are authorised to do so by special permission in such lease, and the Corporation may, with the consent in writing of the Board of Trade, and subject to the provisions of this Order, either by such lease, or from time to time during the currency thereof, attach to such special permission such conditions and restrictions, not being inconsistent with the provisions of this Order, as they may think fit.

Provided further that the exercise of the powers hereby conferred with respect to the use of any power other than animal power shall be subject to the regulations set forth in the schedule to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively, by any order which the Board of Trade may and which they are hereby empowered to make from time to time as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of any power other than animal power on the tramways.

Certain provisions of Suburban Order, 1882, to apply.

18. Save as by this Order otherwise expressly provided, the following provisions of the Suburban Order, 1882, that is to say, sections 55 to 61, both inclusive (with respect to motive power), sections 62 to 66 and 68 to 71, all inclusive (with respect to traffic upon tramways), sections 76, 77, 79 and 80 (with respect to tolls), and sections 81 to 89 and 91 to 97, all inclusive (miscellaneous), shall, so far as applicable extend and apply to the tramways and undertaking by this Order authorised, and for the purposes of such application the expressions "the tramways," "the undertaking," "the local authorities," "the road authorities," "the Promoters," and "this Order" in the said provisions shall be construed to mean respectively the tramways and the undertaking, and the local authorities, and the road authorities as defined respectively by this Order, the Promoters of this Order, and this Order, and the expression "mechanical power" shall for such purposes be construed to include electrical power, and any power other than animal power. Provided always that in the event of the Corporation themselves constructing or purchasing the tramways,

the said provisions of the Suburban Order, 1882, shall on and after the date of the certificate of the Board of Trade that the tramways are fit for public traffic, or the date of such purchase, as the case may be, cease to apply to the tramways or undertaking.

*Traffic and Tolls.*

Certain provisions of Corporation Order, 1885, to apply.

19. The provisions of section 31 (Corporation may appoint stopping and starting places), section 34 (tolls and charges), and section 35 (power to fix stages) of the Corporation Order, 1885, and of Schedule B to the said Order annexed shall extend and apply to the tramways, and for the purposes of such application the expressions "the tramways" and the "lessees and licensees" in the said provisions shall be construed to mean respectively the tramways as defined by this Order and the Promoters of this Order.

Running powers.

20. The Promoters may, with the consent in writing of the Corporation, and by agreement only, run over and use with their carriages, horses, engines, and servants for the purposes of traffic of every description, any tramways of or belonging to the Corporation. The terms and conditions upon which such running powers may be exercised by the Promoters shall be such as may, from time to time, be agreed upon between the Promoters and the Corporation, or as, failing such agreement, may from time to time be determined by an arbitrator, to be nominated by the Board of Trade, in manner provided by section 33 of the Tramways Act, 1870. Provided that such terms and conditions shall in every case be subject to the approval of the Board of Trade, and the Promoters in using any tramways of the Corporation in accordance with the provisions of this section shall at all times comply with the provisions, regulations and byelaws in force on such tramways of the Corporation, and shall for their own acts and defaults in respect of such user incur all and the same liabilities as the lessees of such tramways.

*Miscellaneous.*

Further powers as to sale of undertaking.

21. The Promoters, at any time after the passing of the Act confirming this Order, notwithstanding that the tramways may not have been opened for public traffic for a period of six months, or completed or commenced, may with the consent in writing of the Board of Trade, sell the tramways and undertaking to any person or company or to the Corporation, under and in accordance with the provisions of section forty-four of the Tramways Act, 1870, and of this Order. Provided always that such sale to any company, person, or authority other than the Corporation shall be subject to the consent of the Corporation.

Abandonment of certain authorised tramways.

22. The Promoters may and shall abandon the construction of the following tramways, viz.:—

(*a*) All the tramways authorised by the Harborne Order, 1883.

(*b*) Tramways Nos. 5 and 6, authorised by the North Birmingham Order, 1884.

(*c*) So much of Tramway No. 20 authorised by the South Birmingham Order, 1886, as has not been constructed.

Provision as to telegraphs and telephones.

23. The following provision shall have effect in the event of any tramways of the Promoters being worked by electricity otherwise than by electrical power carried along with the carriages (that is to say):—

(1.) The Promoters shall so construct their electric circuits and other works of all descriptions, and shall so work their tramway in all respects as not

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injuriously to affect the working of any existing electric circuits from time to time used or intended to be used for the purpose of telegraphic, telephonic, or electric signalling communication, or the currents in such circuits, and shall use every reasonable means in the construction of their circuits, and other works of all descriptions, and in the working of their undertaking to prevent injurious affection, whether by induction or otherwise, to any electric circuits used or intended to be used for the purposes aforesaid (whether existing at the time of the construction of the electric circuits or other works of the Promoters or not) or the currents in such circuits.

Provided that as regards electric circuits erected or laid down by parties other than the Promoters after the construction of the works of the Promoters this sub-section shall only apply if, in the erection, laying down and working of such circuits, reasonable and proper precautions against injurious interference with other electric circuits have been taken, and if they have not been erected or laid down in unreasonably close proximity to the lines or works of the Promoters.

(2.) Seven days before commencing to lay down or place any electric line, or to use any electric line in any manner, whereby the work of telegraphic or telephonic or electric signalling communication through any wire or line lawfully laid down or placed in any position may be injuriously affected, the Promoters shall, unless otherwise agreed between the parties interested, give to the owner of such wire or line notice in writing, specifying the course, nature, and gauge of such electric line, and the manner in which such electric line is intended to be used, and the amount and nature of the currents intended to be transmitted thereby, and the extent to and manner in which (if at all) earth returns are proposed to be used ; and any owner entitled to receive such notice may from time to time serve a requisition on the Promoters, requiring them to adopt such precautions as may be therein specified in regard to the laying, placing, or user of such electric line for the purpose of preventing such injurious affection, and the Promoters shall conform with such reasonable requirements as may be made by such owner for the purpose of preventing the communication through such wire or line from being injuriously affected as aforesaid.

If any difference arises between any such owner and the Promoters with respect to the reasonableness of any requirements so made, such difference shall be determined by arbitration.

Provided that nothing in this sub-section shall apply to repairs or renewals of any electric line so long as the course, nature, and gauge of such electric line, and the amount and nature of the current transmitted thereby, are not altered.

(3.) If any difference or question arises between the parties or any of them under this section, such difference or question shall be determined by arbitration, and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the Arbitrator.

(4.) Nothing in this section contained shall be held to deprive the owners of such electric circuits of any existing rights to proceed against the Promoters by indictment, action, or otherwise in relation to any of the matters aforesaid.

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Carrying of mails by Promoters.

24. (1.) The Promoters, if required by the Postmaster-General, shall perform with respect to any tramway owned or worked by them, all such reasonable services in regard to the conveyance of mails as Her Majesty's Postmaster-General from time to time requires, provided as follows :—

(A) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried by the Promoters in or upon any carriage, that is to say—

(i) If the carriage is conveying or intended to convey passengers and not goods or parcels, then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers ; and

(ii) If the carriage is conveying or intended to convey parcels only, then in excess of such maximum weight as is for the time being fixed for ordinary parcels, or if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such carriage, then as is for the time being fixed by agreement, or in default of agreement by a referee to be appointed at the request of either party by the Lord Chief Justice of England ; and

(iii) If the carriage is conveying or intended to convey both parcels and passengers but not goods, then in excess of the maximum weight for the time being fixed for ordinary parcels or for the luggage of ordinary passengers, whichever is the greater.

(B) Mails when carried in or upon a carriage conveying passengers shall be so carried as not to inconvenience the passengers, but so nevertheless that the custody of the mails by any officer of the Post Office in charge thereof shall not be interfered with.

(C) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried by the Promoters in or upon a carriage conveying or intended to convey passengers, but not goods or parcels, except in charge of an officer of the Post Office travelling as a passenger.

(D) If the Promoters carry goods as well as passengers and parcels, the enactments relating to the conveyance of mails by railway shall, subject to the provisions of this section, apply in like manner as if the Promoters were a railway company, and the tramway were a railway.

(2.) The remuneration for any services which have been performed by the Promoters in pursuance of this section shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the Promoters, or, in default of agreement, by a referee to be appointed by the Lord Chief Justice of England at the request of either party, and this provision shall have effect in lieu of any provisions respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

(3.) For the purposes of this section, the expression "mails" has the same meaning as in the Regulation of Railways Act, 1873, and includes parcels within the meaning of the Post Office (Parcels) Act, 1882.

(4.) For the purposes of this section a requisition by Her Majesty's Postmaster-General may be signified by writing under the hand of any person who is at the time either such Postmaster-General or a secretary or assistant secretary of the Post Office or the Inspector-General of Mails ; and any document

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purporting to be signed by any such person as aforesaid shall, until the contrary is proved, be deemed, without proof of the official character of such person, to have been duly signed as required by this section.

For protection of the Postmaster-General.

25. Section 41 of the Birmingham Central Tramways (Extension) Order, 1886, and section 24 of the Birmingham Central Tramways (Extension) Order, 1887, shall be and the same are hereby repealed, and the following provisions shall apply and have effect in lieu thereof with respect to all tramways of or belonging to the Promoters, viz.:

In the event of any tramways of the Promoters being worked by electricity, the following provisions shall have effect:

(1) The Promoters shall construct their electric lines and other works of all descriptions, and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General, and the currents in such telegraphic lines, and shall use every reasonable means in the construction of their electric lines, and other works of all descriptions, and the working of their undertaking, to prevent injurious affection, whether by induction or otherwise, to such telegraphic lines or the currents therein. If any question arises as to whether the Promoters have constructed their electric lines or other works, or work their undertaking in contravention of this subsection, such question shall be determined by arbitration, and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.

(2)—(A) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Promoters or their agents, not more than twenty-eight nor less than fourteen days before commencing the work, shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work, including the gauge of any wire, and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

(B) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.

(3) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues, or if the telegraphic communication is wilfully interrupted, not exceeding fifty pounds for every day on which such interruption continues.

(4) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the Court having cognizance of the case that the immediate doing of the act or execution of the work was

required to avoid an accident, or otherwise was a work of emergency, and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof, stating the reason for doing or executing the same without previous notice.

(5) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is, whether through induction or otherwise, in any manner affected by such act or work or by any use made of such work.

(6) For the purposes of this section, and subject as therein provided, sections two, eight, nine, ten, eleven, and twelve of the Telegraph Act, 1878, shall be deemed to be incorporated with this Order as if the Promoters were undertakers within the meaning of those sections, without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted, and, in particular, nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act, 1878, in relation to the matters mentioned in that section.

(7) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act, 1882.

(8) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party, whose decision shall be final, and sections thirty to thirty-two, both inclusive, of the Regulation of Railways Act, 1868, shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.

(9) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment, action, or otherwise, in relation to any of the matters aforesaid.

## SCHEDULE.

Brake power of engines.

Every engine used on the tramway shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient.

As to fittings of engines, &c.

Every engine used on the tramways shall have its number shown in some conspicuous part thereof, and shall be fitted—

With an indicator by means of which the speed shall be shown.

With a suitable fender to push aside obstructions.

With a special bell, whistle, or other apparatus to be sounded as a warning when necessary, and

With a seat for the driver of such engine, so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails, and all fire used on such engine shall be concealed from view.

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As to carriages.

Every carriage used on the tramways shall be so constructed as to provide for the safety of passengers and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage.

Inspection of engines and carriagers.

The Board of Trade shall on the application of the local authority of any district in which steam, electrical or any mechanical power is used on the tramways, and may on complaint made by any person from time to time inspect any engine or carriage used on the tramways, and the machinery therein, and may whenever they think fit prohibit the use on the tramways of any such engine or carriage which in their opinion may not be safe for use on the tramways.

As to speed.

The speed at which engines and carriages may be driven or propelled along the tramways shall not exceed the rate of eight miles an hour.

The speed at which engines and carriages may pass through moveable facing points shall not exceed the rate of four miles an hour.

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*Bristol.*

## BRISTOL TRAMWAYS (EXTENSION).

*Order authorising the Bristol Tramways and Carriage Company, Limited, to construct Tramways in the City of Bristol and the neighbourhood thereof, in the Counties of Somerset and Gloucester, and for other purposes.*

Short title.

1. The Order may be cited as the Bristol Tramways (Extension) Order, 1891.

Incorporation of Acts.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the Promoters of the undertaking), and of the Tramways Act, 1870, are hereby incorporated with this Order, except where the same are inconsistent with or expressly varied by this Order.

Interpretation.

3. The several words, terms, and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned, have in this Order the same respective meanings.

Provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works, and the undertaking by this Order authorised;

The expression "the existing tramways" shall mean the tramways constructed by the Bristol Tramways Company, Limited, in or in the neighbourhood of the city and county of Bristol under the authority of any Provisional Order confirmed by Act of Parliament;

The expression "the Order of 1875" shall mean the Bristol and Eastern District Tramways Order, 1875;

The expression "the city" shall mean the city and county of Bristol; and

The expression "the corporation" shall mean the mayor, aldermen, and burgesses of the city, acting by the council.

*Promoters.*

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The Promoters.

4. The Bristol Tramways and Carriage Company, Limited (who are the successors or assigns of the Bristol Tramways Company, Limited, with regard to the existing tramways), shall be the Promoters for the purposes of this Order, and are in this Order referred to as "the Promoters," and all rights, powers, authorities, obligations and liabilities which were conferred upon, vested in or imposed upon the Bristol Tramways Company, Limited, in relation to the existing tramways respectively, under or by virtue of the Provisional Orders by which the same were respectively authorised, are hereby transferred to, vested in, and may be exercised by, and shall attach to the Promoters in like manner as if the Promoters had been the Promoters of the Orders authorising the existing tramways respectively, and the said Orders shall be read and construed accordingly.

Lands by Agreement.

5. The Promoters may, by agreement from time to time, purchase, take on lease, and acquire for the purposes of the undertaking such lands as they may require, and may from time to time sell, let or dispose of any such lands which may not be necessary for such purposes. Provided that they shall not at any time hold for such purposes more than five acres of land, but nothing in this Order shall exonerate the Promoters from any indictment, action, or other proceeding for nuisance in the event of any nuisance being caused by them upon lands taken under the powers of this section

*Construction of Tramways.*

Construction of tramways.

6. The Promoters may construct and maintain, subject to the provisions of this Order, and in accordance with the plans and sections deposited for the purposes of this Order at the Office of the Board of Trade as the same have been amended previous to the passing of the Act confirming this Order (which amended plans and sections are in this Order respectively referred to as "the deposited plans" and "the deposited sections") the tramways hereinafter described, with all proper rails, points, junctions, plates, sleepers, tubes, channels, wires, cables, ropes, offices, weigh-bridges, turn-tables, engine-sheds, stables, carriage-houses, warehouses, works, mechanical appliances and conveniences connected therewith or for the purposes thereof, and may work and use the same.

The tramways authorised by this Order are:—

Tramway No. 1—1 furlong 4·60 chains in length, of which 1 furlong 2·95 chains is single line and 1·65 chain is double line. Commencing in the parishes of Saint James and Saint Paul, or one of them, by a junction with the existing tramway at a point in Stokescroft 0·20 chain or thereabouts south-west of the intersection of the centre lines of City Road and Stokes-croft, passing thence in a north-easterly direction into and along City Road, and terminating therein, in the district of the united parishes of Saint James and Saint Paul, at a point 0·50 chain or thereabouts north-east of the intersection of the centre line of the said road with that of Brigstocke Road.

This tramway shall be laid as a single line, except between the following points, where it shall be laid as a double line, viz.:—

In City Road, from a point 1·65 chain from its termination to its termination.

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Tramway No. 2—3 furlongs 1·30 chain in length, of which 2 furlongs 1·80 chain is single line and 9·50 chains is double line. Commencing in the district of the united parishes of Saint James and Saint Paul by a junction with the termination of tramway No. 1, passing thence in a north-easterly direction along City Road and Ashley Road, and terminating in the last-mentioned road in the parish of Saint Paul, and the district of the united parishes of St. James and Saint Paul, or one of them, at or near the intersection of the centre lines of Ashley Road and Lower Ashley Road.

This tramway shall be laid as a single line except between the following points, where it shall be laid as a double line, viz.:—

From its commencement for a length of 2·50 chains.

In City Road and Ashley Road, between points respectively 2·45 chains and 4·95 chains north-easterly from the intersection of the centre lines of William Street and City Road.

In Ashley Road, between points respectively 5·50 chains and 1·00 chain from the termination of the tramway.

Tramway No. 3—3 furlongs 6·20 chains in length, of which 1 furlong 3·55 chains is single line and 2 furlongs 2·65 chains is double line, which will be partly in substitution for a portion of the existing tramway, commencing in the parishes of Saint James and Saint Paul, or one of them, by a junction with the existing tramway in Saint James's Barton at a point 0·30 chain or thereabouts south-west of the intersection of the centre lines of Saint James's Barton and Barr's Street, passing thence in a northerly direction into and along North Street, easterly into and along Cumberland Street, the north side of Brunswick Square, Surrey Street, the western and the northern sides of Portland Square, Dean Street, Brigstocke Road, and City Road, and terminating in the last-named road, in the district of the united parishes of Saint James and Saint Paul, by a junction with tramway No. 1 at its termination.

The said tramway No. 3 shall be laid as a single line except between the following points, where it shall be laid as a double line:—

From its commencement for a length of 1 furlong 3·50 chains.

From a point in Surrey Street 0·80 chain or thereabouts west of the east end of Surrey Street to a point in Dean Street 0·35 chain or thereabouts north-west of the intersection of the centre lines of Bishop Street and Dean Street.

In Brigstocke Road and City Road from a point 2·50 chains from its termination to its termination.

Tramway No. 3A—1·00 chain in length (which shall be laid as a double line throughout, and in substitution for a portion of the existing tramway), commencing in the parishes of Saint James and Saint Paul, or one of them, by a junction with tramway No. 3 at a point in North Street 1·80 chain or thereabouts from the commencement of the said tramway No. 3, and terminating in the said street in the said parishes or one of them, by a junction with the existing tramways at a point 1·00 chain or thereabouts, measured in a northerly direction, from its commencement.

Tramway No. 4—5 furlongs 2·90 chains in length, of which 1·00 chain will be single line and 5 furlongs 1·90 chains will be double line, commencing in the

parish of Saint Mary Redcliff by a junction with the existing tramways in Bath Road, at a point 2·60 chains or thereabouts, measured in a northerly direction, from the termination of the existing tramway, passing thence in a south-easterly and easterly direction along the Bath Road, and terminating therein, in the parish of Bedminster, at a point in the said road 1·00 chain or thereabouts westerly from a point opposite the centre of the entrance gates to the Arno's Vale Cemetery.

This tramway shall be laid as a double line, except for a length of 1·00 chain from its termination to its termination, where it shall be laid as a single line.

Provided always that Tramway No. 4 shall not be constructed without the previous consent in writing of the road authority.

Tramway No. 5—2·10 chains in length, which shall be laid as a double line throughout, and in substitution for a portion of the existing tramway, and wholly situate in the parish of Saint Thomas, commencing by a junction with the existing tramways in Redcliff Street, at a point 2·25 chains or thereabouts northward from the intersection of the centre lines of Thomas Lane and Redcliff Street, and terminating therein at a point 0·15 chain or thereabouts northward from the intersection of the centre lines of the said street and Thomas Lane.

Tramway No. 6—2·50 chains in length, which shall be laid as a double line throughout, and in substitution for a portion of the existing tramway, and will be wholly situate in the parish of Saint Mary Redcliff, commencing by a junction with the existing tramways in Redcliff Street, at a point 1·35 chain or thereabouts northward of the intersection of the centre lines of the said street and Ferry Street, and terminating in Redcliff Street at a point 1·15 chain or thereabouts southward of the said intersection of the centre lines of the said streets.

Tramway No. 7—1 furlong 2·10 chains in length, of which 7·85 chains will be single line and 4·25 chains will be double line, wholly situate in the parish of Bedminster, commencing by a junction with the termination of the existing tramway in East Street and terminating therein at a point 0·10 chain or thereabouts westward from the intersection of the centre lines of Cannon Street and East Street.

This tramway shall be laid as a single line, except between the following points, where it shall be laid as a double line, viz.:—

Between points respectively 2·25 chains north-east and 0·60 chain south-west from the intersection of the centre lines of Church Lane and East Street.

Between a point 1·40 chain north-east from its termination and its termination.

Provided always that Tramway No. 7 shall not be commenced unless and until the roadway of the road along which the same is authorised to be laid has been widened to such extent and in such manner as the Corporation may approve.

Tramway No. 8—8·20 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, commencing in the parish of Saint Michael by a junction with the existing

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tramway in Upper Maudlin Street at a point 3·90 chains or thereabouts south-westward from the intersection of the centre lines of Terrell Street and Upper Maudlin Street, and terminating in the said street, in the parish of Saint James, at a point 4·30 chains or thereabouts north-eastward from the intersection of the centre lines of the said streets.

Tramway No. 9—6·60 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the parish of St. James, commencing by a junction with the existing tramway in Lower Maudlin Street at a point at or near the intersection of the centre lines of Harford Street and Lower Maudlin Street, passing thence in a south-easterly direction along Lower Maudlin Street and the open space between Lower Maudlin Street and Lower Union Street, and terminating in the said open space by a junction with the existing tramways at a point 1·90 chain or thereabouts south-easterly of the lamp standard in the centre of the said open space.

Provided always that Tramway No. 9 shall not be commenced until the houses between Deep Street and Lewin's Mead on the south-west side of Lower Maudlin Street shall have been pulled down, and the roadway widened.

Tramway No. 10—1·86 chain in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the parish of St. James, commencing by a junction with Tramway No. 9, in Lower Maudlin Street, 4·00 chains or thereabouts from the commencement thereof, and terminating by a junction with the existing tramway in Bond Street, at or near the south end thereof, at a point 1·75 chain or thereabouts, measured in an easterly direction, from the commencement of the said Tramway No. 10.

Provided always that in the construction of Tramway No. 10 no rail shall be so laid that the space between such rail and the south-eastern angle of St. James' Churchyard shall be less than the space between that point and the north-western rail of the existing tramway in Bond Street.

Tramway No. 11—2·36 chains in length, which shall be laid as a double line throughout, and wholly situate in the parish of Saint James, commencing by a junction with the existing tramway, at a point in the open space between Bridewell Street and the Haymarket, 0·20 chain or thereabouts south-westward from the intersection of the centre lines of Silver Street and Bridewell Street, and terminating in the said open space by a junction with Tramway No. 9, at its termination.

Tramway No. 12—8·50 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the out parish of Saint Philip and Jacob, commencing by a junction with the existing tramway in West Street or Clarence Road, at a point 0·90 chain or thereabouts westerly from the intersection of the centre lines of Trinity Street and Clarence Road, passing thence in an easterly direction along Clarence Road, and terminating therein by a junction with the existing tramway, at a point 3·70 chains or thereabouts eastward from the intersection of the centre lines of Clarence Place and Clarence Road.

Tramway No. 13—4·50 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the out parish of St. Philip and Jacob, commencing by a junction with the existing tramway in Lawrence Hill at a point 3·80 chains or thereabouts westward from the intersection of the centre lines of Berkeley Street with Lawrence Hill, and terminating in the said Lawrence Hill by a junction with the existing tramway at a point 4·50 chains or thereabouts eastward of its commencement.

Tramway No. 14—2 furlongs 6·70 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the parish of Saint George, commencing by a junction with the existing tramway in Redfield Road at a point 0·80 chain or thereabouts westward from the intersection of the centre lines of Heber Street and Redfield Road, and terminating in Redfield Road by a junction with the existing tramway at a point 0·70 chain or thereabouts westerly from the intersection of the centre lines of the Lyppiatt Lane and Redfield Road.

Tramway No. 15—9·00 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the parish of Saint George, commencing by a junction with the existing tramway in Church Road at a point 0·20 chain or thereabouts eastward of the intersection of the centre lines of Lyppiatt Lane and Church Road, and terminating by a junction with the existing tramway in Church Road at a point 0·80 chain or thereabouts westward from the intersection of the centre lines of Blackswarth Road and Church Road.

Tramway No. 16—9·00 chains in length, of which 2·35 chains shall be laid as double line, and 6·65 chains shall be laid as interlacing line, as shown on the deposited plans, in substitution for a portion of the existing tramway, and wholly situate in the parish of Saint George, commencing by a junction with the existing tramway in Church Road at a point 0·75 chain or thereabouts eastward of the termination of Tramway No. 15, and terminating in Church Road by a junction with the existing tramway at a point 2·35 chains or thereabouts eastward from the intersection of the centre lines of Seneca Street and Church Road.

Tramway No. 17—9·10 chains in length, of which 5·60 chains shall be laid as double line, and 3·50 chains shall be laid as interlacing line, as shown on the deposited plans, in substitution for a portion of the existing tramway, and wholly situate in the parish of Saint George, commencing by a junction with the existing tramway in Church Road at a point 0·25 chain or thereabouts westward from the intersection of the centre lines of Salisbury Street and Church Road, and terminating by a junction with the existing tramway in Church Road at a point 3·40 chains or thereabouts westward from the intersection of the centre lines of Beaconsfield Road and Church Road.

Tramway No. 18—6·80 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the parish of Saint George, commencing by a junction

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with the existing tramway in Church Road, at a point 0·90 chain or thereabouts eastward of the termination of Tramway No. 17, and terminating in Church Road and Clouds Hill Road, or one of them, by a junction with the existing tramway at a point 0·80 chain or thereabouts westward from the termination thereof.

Tramway No. 19—2·50 chains in length, which shall be laid as a single line throughout, and wholly situate in the parish of Saint George, commencing in Church Road and Clouds Hill Road, or one of them, by a junction with Tramway No. 18 at a point 0·80 chain or thereabouts westward of the termination of the said Tramway No. 18, and terminating in Clouds Hill Road by a junction with Tramway No. 20, hereinafter described, at a point 0·90 chain eastward of the termination of the existing tramway.

Tramway No. 20—1 mile 5 furlongs 8·10 chains in length, of which 4 furlongs 6·55 chains shall be laid as double line, and 1 mile 1 furlong 1·55 chain shall be laid as interlacing line, as shown on the deposited plans, commencing in the parish of Saint George by a junction with the existing tramway at its termination in Church Road and Clouds Hill Road, or one of them, passing thence in an easterly direction along Clouds Hill Road, Bell Hill Road, Two Mile Hill Road, Regent Street, and High Street, and terminating in the last-named street, in the hamlet of Oldland, in the parish of Bitton, at a point 3·90 chains or thereabouts eastward from the intersection of the centre lines of Hanham Road and High Street.

Tramway No. 21—1 furlong 0·70 chain in length, of which 8·50 chains shall be laid as double line, and 2·20 chains shall be laid as interlacing line, as shown on the deposited plans, in substitution for a portion of the existing tramway, and wholly situate in the parish of Clifton, commencing by a junction with the existing tramway in Dowry Parade at a point 3·80 chains or thereabouts, measured in a south-westerly direction, from the cabmen's shelter in Dowry Parade, and terminating in the roadway leading from Hotwell Road to Saint Vincent's Parade by a junction with the existing tramway at a point 3·00 chains or thereabouts, measured in a southerly direction, from the intersection of the centre lines of Freeland Place and the roadway leading from Hotwell Road to Saint Vincent's Parade.

Tramway No. 22—2·50 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the district of the united parishes of Saint James and Saint Paul, commencing by a junction with the existing tramway in Cheltenham Road at a point 9·73 chains or thereabouts south-east of the intersection of the centre lines of Station Road and Cheltenham Road, and terminating in Cheltenham Road by a junction with the existing tramway at a point 2·50 chains or thereabouts northwards from its commencement.

Tramway No. 23—3·00 chains in length, of which 1·00 chain will be single line, and 2·00 chains double line commencing in the parish of Westbury-upon-Trym and the parish of Horfield, or one of them, by a junction with the existing tramway in Cheltenham Road and Gloucester Road, or one of them, at a point at or near the city and county boundary, passing thence in

a northerly direction into and along Elton Road, and terminating therein in the parish of Horfield, at a point 3·00 chains or thereabouts from its commencement.

This tramway shall be laid as a double line except between a point 1·00 chain south of its termination and its termination.

Tramway No. 24—1 furlong 4·60 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the parish of Horfield, commencing by a junction with the existing tramway in Gloucester Road, at or near the intersection of the centre lines of Zetland Road and Gloucester Road, passing thence in a north-easterly direction along Gloucester Road, and terminating therein by a junction with the existing tramway at a point 4·30 chains or thereabouts north-easterly from the intersection of the centre lines of Overton Road and Gloucester Road.

Tramway No. 25—7·70 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the parish of Horfield, commencing by a junction with the existing tramway in Gloucester Road, at a point 1·00 chain or thereabouts southward of the intersection of the centre lines of Shadwell Road and Gloucester Road, and terminating in Gloucester Road by a junction with the existing tramway, at a point 2·20 chains or thereabouts southward from the intersection of the centre lines of Berkeley Road and Gloucester Road.

Tramway No. 26—6·90 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the parish of Horfield, commencing by a junction with the existing tramway in Gloucester Road, at a point 1·50 chain or thereabouts southward from the intersection of the centre lines of Berkeley Road and Gloucester Road, and terminating in Gloucester Road by a junction with the existing tramway, at a point 1·35 chain or thereabouts southward from the intersection of the centre lines of Egerton Road and Gloucester Road.

Tramway No. 27—2·25 chains in length, which shall be laid as a double line throughout and in substitution for a portion of the existing tramway, and wholly situate in the parish of Horfield, commencing by a junction with the existing tramway in Gloucester Road, at a point 2·20 chains or thereabouts southward of its termination, and terminating in Gloucester Road at the termination of the said existing tramway.

Tramway No. 28—4 furlongs 6·00 chains in length, of which 1·00 chain will be single line and 4 furlongs 5·00 chains double line, wholly situate in the parish of Horfield, commencing by a junction with Tramway No. 27 at its termination, and terminating in Gloucester Road, at a point 6·50 chains or thereabouts northward from the intersection of the centre lines of Ashley Down Road and Gloucester Road.

This tramway shall be laid as a double line, except between the following points, where it shall be laid as a single line:—

In Gloucester Road, between points respectively 1·00 chain south of its termination and its termination.

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The intended tramways will be made and pass from, in, through or into the following townships, parishes, or extra-parochial districts, namely the parishes of Saint James, Saint Paul, the district of the united parishes of Saint James and Saint Paul, Saint Michael, Westbury-on-Trym, Clifton, Saint Mary Redcliff, Bedminster, out parish of Saint Philip and Jacob, and Saint Thomas, all in the city and county of Bristol; the parishes of Saint George, Horfield, and Bitton, in the county of Gloucester; and the parish of Bedminster, in the county of Somerset.

Wood pavement to be laid down in certain streets.

7. The Promoters shall pave with wood to the satisfaction of the Corporation, so much of the roads known as North Street, Cumberland Street and Brunswick Square, upon which the Tramways Nos. 3 and 3a respectively shall be laid, as lies between the rails of such tramways, and (where a double line shall be laid) the portion of the road between the lines and so much of the road as extends 18 inches beyond the rails of and on each side of such tramways.

Gauge of tramways.

8. The tramways shall be constructed on a gauge of four feet eight and a half inches.

For protection of works of Bristol Waterworks Company, West Gloucestershire Water Company, and Bristol United Gaslight Company.

9. If the Promoters desire under the authority of this Order to do any act which shall or may render necessary the removal or displacement of any of the mains or pipes, valves, syphons, plugs, or apparatus, or other works belonging to or controlled by the Bristol Waterworks Company, the West Gloucestershire Water Company, or the Bristol United Gaslight Company, the Promoters shall give to the company to be affected by such act fourteen days' notice in writing of such desire, and such company shall forthwith (without prejudice nevertheless to the protection afforded them by the Tramways Act, 1870) make such removal or displacement as may be necessary, and do all works incident thereto, and all expenses to be thereby incurred shall be defrayed by the Promoters. Nothing contained in this Order shall interfere with the exercise by any of the said companies of the powers and privileges conferred upon them respectively by any Acts or Act of Parliament of laying down and maintaining, and, as occasion may require, of repairing and altering any mains or pipes in and under any of the roads upon which the tramways may be laid under the authority of this Order. And the provisions of the Tramways Act, 1870, in favour of the local authority or the road authority, shall be extended to and include each of the said companies.

Provisions as to construction of tramways.

10. In addition to the requirements of section 26 of the Tramways Act, 1870, the Promoters shall, at the same time as they give notice to the road authority of their intention to open or break up any road for the purpose of constructing, laying down, maintaining, or renewing any of the Tramways, lay before the Board of Trade, and as to tramways within the city, before the Corporation, a plan showing the proposed mode of constructing, laying down, maintaining, and renewing such tramways, and a statement of the materials intended to be used therein; and the Promoters shall not commence the construction, laying down, maintenance or renewal of any of the tramways, or part of any of the tramways respectively, except for the purpose of necessary repairs, until such plan and statement have been approved by the Board of Trade, and as to tramways within the city, by the Corporation, and after such approval the works shall be

executed in accordance in all respects with such plan and statement, and under the superintendence, and to the reasonable satisfaction, of the surveyor for the time being of the road authority, as provided by section 26 of the said Act.

As to rails of tramways.

11. The rails of the tramways shall be such as the Board of Trade may approve, and the Board of Trade may from time to time, upon the application of the road authority of any district in which the tramways or any portion thereof are or is situate, require the Promoters to adopt and apply such improvements in the tramways within such district, including the rails thereof, as experience may from time to time suggest, having regard to the greater security of the public and advantage to the ordinary traffic, and the Promoters shall, with all reasonable despatch, comply with any order made by the Board of Trade for the purpose of carrying out any such improvements.

Penalty for not maintaining rails and road in good condition.

12. The Promoters shall at all times maintain and keep in good condition and repair, to the satisfaction of the road authority, and so as not to be a danger or annoyance to the ordinary traffic, the rails of which any of the tramways for the time being consist, and the substructure upon which the same rest, and if the Promoters at any time make default in complying with this provision, or with any of the requirements of section 28 of the Tramways Act, 1870, they shall for every such offence be subject, on information laid or complaint made, to a penalty not exceeding five pounds, and in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first on which such default continues, and such penalty may be recovered as by section 56 of the said Act is provided.

In any case in which it is represented in writing to the Board of Trade by the road authority of any district in which the tramways or any portion thereof are or is situate, or by twenty inhabitant ratepayers of such district, that the Promoters have made any such default as aforesaid, the Board of Trade may, if they think fit, direct an inspection by an officer to be appointed by the said Board, and if such officer report that the default mentioned in such representation has been proved to his satisfaction, then, and in every such case, a copy of such report certified by the Board of Trade may be adduced as evidence of such default, and of the liability of the Promoters to such penalty or penalties in respect thereof as is or are imposed by this section.

Local authority to have access to sewers.

13. Every local authority shall at all times have free access to and communication with all their sewers and drains, and power to lay lateral and private drains to communicate therewith, without the consent or concurrence of the Promoters, and the provisions contained in sections 32 and 33 of the Tramways Act, 1870, shall be applicable in the case of any sewer or private drain of or under the control of the local authority as if the same were a pipe for the supply of gas or water.

Tramways to be kept on a level with surface of road.

14. If any road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid, the Promoters may, and shall, from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Additional crossings, &c. may be made

15. The Promoters may, subject to the provisions of this Order, from time to time make, maintain, alter, and remove all such crossings, passing places, sidings,

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where necessary.

junctions, and other works in addition to those particularly specified in and authorised by this Order, as may from time to time be necessary or convenient for the efficient working of the tramways, or any of them, or for providing access to any stables, engine-houses, carriage-houses, sheds or works of the Promoters, subject to the approval of the road authority. Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road, if any owner or occupier of any house, shop, or warehouse abutting on the place where such rail is proposed to be laid, by notice in writing under his hand addressed to the Promoters, express his objection thereto.

Temporary tramways may be made when necessary.

16. Where by reason of the execution of any work affecting the surface or soil of any road along which any of the tramways is laid, it is in the opinion of the road authority necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Promoters may, with the consent of the road authority, and subject to such conditions, and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and with the like consent subject to the like conditions and in accordance with the like regulations, maintain so long as occasion may require a temporary tramway in lieu of the tramway or part of a tramway so removed or discontinued.

If any difference arise between the promoters and any road authority with respect to the reasonableness of any conditions or regulations, or with respect the mode of constructing any temporary tramway under the authority of this section the same shall be settled in the manner specified in section 33 of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

In case of alteration of roads, Promoters to alter or remove tramways.

17. If and whenever the Corporation shall have altered or widened any road or part of a road in which any of the tramways or part of the tramways is laid, the Corporation may if they think fit (having given at least one month's previous notice in writing to the Promoters) require the Promoters to alter such tramway or part of the tramways, or to remove the same to such position as the Corporation may require, and the Promoters shall with all reasonable despatch proceed to alter or remove such tramway or part of a tramway accordingly at their own expense, and without any claim for compensation against the Corporation in respect of such removal or alteration for any loss of traffic or otherwise consequent thereon. Provided always that in making any alteration or removal under this section no rail shall be so laid that a less space than nine feet six inches will intervene between it and the outside of the footpath on either side of the road.

Corporation may require Promoters to alter paving material of roads.

18. If the Corporation shall alter the material with which the whole or any part of any road (in which any of the tramways or part of the tramways is laid) is paved, they may, in their absolute discretion (notwithstanding any provision of the Tramways Act, 1870), by notice in writing to the Promoters, require the Promoters at their own expense to forthwith pave (to the extent of such tramway or part of the tramways), in such manner and with such material as the Corporation shall have paved the other portion of such road the part of such road in which such tramway or such part is laid, both between and on either side of the rails so far as such road is repairable by the Promoters, and to make any

alterations in the tramway which are consequently necessary, and thereupon the Promoters shall proceed with all reasonable despatch to pave the said portion of such road accordingly to the satisfaction of the Corporation, without any claim against the Corporation for compensation in respect of such alteration for any loss of traffic or otherwise consequent thereon, and any obligation of the Promoters with regard to the maintenance and repair or otherwise in relation to such tramway, or such part of the tramways or any part of the road, shall remain and continue unaffected by such alteration.

In case of erections being made in roads, Corporation may require Promoters to alter tramways.

19. If and whenever the Corporation, having power to place in any road any rest, shelter, urinal, or convenience, shall desire that any of the tramways or any part of the tramways should be altered in order to permit such erection to be more conveniently made and used, the Promoters shall, after one month's previous notice in writing from the Corporation requiring them so to do at their own expense, make such alterations in the position of such tramway or such part thereof as the Corporation may require. Provided that if the Promoters contend that the alteration required cannot be effected without unduly interfering with the use of the tramway, they may appeal to the Board of Trade, who may by Order either confirm this requirement of the Corporation, with or without modification, or refuse to confirm the same; and in the event of the Board of Trade confirming the requirement, either with or without modification, the Promoters shall forthwith carry out the same, subject to any such modification by the Board of Trade.

Penalty in case of default in carrying out alterations.

20. If the Promoters fail to execute any work or make any alteration which they may be required to execute or make under this Order, within such reasonable time as the Corporation may require, or if the Promoters fail to comply with any Order of the Board of Trade under this Order as to any alteration in the position of any tramway within such date as may be therein specified, the Promoters shall be liable to a penalty not exceeding ten pounds per day for every day during which such default continues, and such penalty may be recovered in manner provided by section 56 of the Tramways Act, 1870.

Application of road materials excavated in construction of works.

21. Any paving, metalling, or material excavated by the Promoters in the construction of the tramways from any road under the jurisdiction or control of any road authority, may be applied by the Promoters so far as may be necessary in or towards the reinstating of such road, and the Promoters shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of such road authority, or to such person as he may appoint to receive the same. Provided that if within seven days after the setting aside of the surplus arising from the excavation of any such paving, metalling, or material, and notice thereof duly given to the road authority, such surplus is not removed by such surveyor, or by some other person named by him for that purpose, such surplus paving, metalling, or material, or so much thereof as may not have been removed by such surveyor or person, shall absolutely vest in and belong to the Promoters, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Promoters and any road authority, or surveyor or other person, with reference to any of the matters aforesaid, shall be determined in manner provided by the Tramways Act, 1870, with respect to differences between the Promoters and any road authority.

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On completion of certain tramways powers of Promoters under previous Provisional Orders to cease as to certain existing tramways.

22. On the granting by the Board of Trade of its certificate under the Tramways Act, 1870, that any of the tramways by this Order authorised to be constructed in substitution for any portion of the existing tramways is or are fit for public traffic, all rights, powers, authorities, obligations and liabilities in relation to any portion of the existing tramways for which any such new tramway shall be substituted, and to the traffic thereon, under the provisions of the Provisional Order or Orders by which such portion of the existing tramways was authorised shall as from the date of such certificate cease and determine, so far as regards such portion of the existing tramways, and the tramways by this Order authorised to be constructed in substitution for such existing tramways respectively shall, for all purposes, and notwithstanding anything in the said Orders or any of them contained, be deemed to be tramways originally authorised by this Order. Provided always that so far as the same are at the date of such certificate subsisting or in force, the provisions in such Order or Orders contained with regard to the tolls and charges to be demanded and taken, shall nevertheless continue in force and apply to the tramways to be constructed under the authority of this Order by way of substitution as aforesaid, and the traffic thereon, and to any other tramways or portions of tramways of the Promoters to which the same are applicable, and the traffic thereon, in the same manner as such provisions would have applied to the existing tramways and any such other tramways as aforesaid, and the traffic thereon, if the substituted tramways had not been constructed.

Power to lay down double lines in place of single lines, and vice versâ.

23. The Promoters, in any street in which they have laid down or are authorised to lay down a single line of tramway, may (with the consent of the Board of Trade, and as regards tramways situate within the city, at the option and with the consent in writing of the Corporation, and upon such terms and conditions and for such period as the Corporation may from time to time prescribe) in lieu thereof, lay down a double line or an interlacing line of tramway, and in any street in which they have laid down or are authorised to lay down a double line or an interlacing line of tramway, they may (with the like consent of the Board of Trade, and as regards tramways situate within the city at the like option and with the like consent of the Corporation) in lieu thereof lay down a single line of tramway. Provided, nevertheless, that in the construction of any such works no rail shall, except with the consent of the Board of Trade, be so laid that a less space than nine feet six inches shall intervene between such rail and the outside of the footpath on either side of the road if any owner or occupier of any house, shop, or warehouse abutting upon the place where such rail is proposed to be laid, by notice in writing, under his hand, addressed to the Promoters, express his objection thereto.

Promoters may lay down and maintain works necessary for using electrical or mechanical power.

24. Whenever and so often as the Promoters have authority under the provisions of this Order to work the tramways authorised by this Order and the existing tramways or any of such tramways respectively by means of electrical power or mechanical power, the Promoters may, subject to the provisions of this Order, construct, lay down, execute, and maintain in, on, or under the surface of any road or place all such channels, tubes, passages, mains, plates, wires, ropes, cables, chains, engines, machinery, or apparatus, and also all such openings or ways in or under any such surface as may be necessary or expedient, either for the working of such tramways by such electrical power, or mechanical power, or for working any such wires, ropes, cables, chains, or apparatus, or for

providing access to or in connection with any engines or machinery used for the purposes aforesaid, provided that no such works or things shall be constructed, laid, or placed above the level of the road without the consent of the road authority, and all powers, restrictions, and provisions relating to the construction and maintenance of the tramways authorised by this Order respectively under or by virtue of this Order shall apply and have effect with regard to the construction, execution, and maintenance of such works and things as aforesaid: Provided always that the Promoters shall not construct or maintain in any road within the city any structure or work which shall or may be used for or in relation to the supply of any motive power other than animal power, without the consent in writing of the Corporation, and except for such period and upon such terms and conditions not being inconsistent with the provisions of this Order, as the Corporation may from time to time prescribe.

Tramways not to be opened until certified by Board of Trade.

25. The tramways shall not be opened for public traffic until the same have been inspected and certified to be fit for such traffic by the Board of Trade.

*Motive Power.*

Carriages may be moved by animal, electrical, or mechanical power.

26. The carriages used upon the existing tramways and upon the tramways by this Order authorised (all which tramways are in the provisions of this Order with respect to motive power included in and referred to under the description of "the said tramways"), may, subject to the provisions of this Order, be moved by animal power, and during a period of seven years after the opening of the same for public traffic, and with the consent in writing of the Board of Trade during such further periods not exceeding seven years as the said Board may from time to time specify in any order to be signed by a secretary or an assistant secretary of the said Board, by means of electrical or other mechanical power, including haulage by wires, ropes, cables, or chains, but not including steam power used in or upon the carriages or locomotive engines. Provided always that unless hereafter authorised by Provisional Order or Act of Parliament with the consent of the Corporation, carriages upon the said tramways within the city shall not be moved by means of haulage by wires, ropes, cables or chains.

Provided also that no power other than animal power shall be used upon the said tramways within the city except with the consent in writing of the Corporation, which consent the Corporation is hereby empowered to give.

Provided further that the exercise of the powers hereby conferred with respect to the use of any power other than animal power shall be subject to the regulations set forth in the schedule to this Order annexed, and to any regulations which may be added thereto or substituted therefor respectively by any Order which the Board of Trade may, and which they are hereby empowered to make from time to time, as and when they may think fit, for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of any power other than animal power on the said tramways.

Penalty for using electrical or mechanical power contrary to Order or regulations.

27. The Promoters, or any person using electrical or mechanical power on any of the said tramways contrary to the provisions of this Order, or to any of the regulations set forth in the schedule to this Order annexed, or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Order, shall, for every such offence, be subject to a penalty not

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exceeding ten pounds, and also in case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues after conviction therefor. Provided always that whether any such penalty has been recovered or not, the Board of Trade, in case in their opinion the Promoters or any person using electrical or mechanical power on the said tramways under the authority of this Order, have or has made default in complying with the provisions of this Order, or with any of the regulations set forth in the schedule to this Order annexed, or with any regulation which may have been added thereto or substituted therefor as aforesaid, may by order direct the Promoters or such person to cease to exercise the powers aforesaid, and thereupon the Promoters or such person shall cease to exercise the powers aforesaid, and shall not again exercise the same or any of the same unless with the authority of the Board of Trade, and in every such case the Board of Trade shall make a special report to Parliament, notifying the making of such Order.

Byelaws.

28. Subject to the provisions of this Order, the Board of Trade may from time to time make, and when made may rescind, annul, or add to byelaws with regard to all or any of the said tramways upon which electrical or mechanical power may be used under the authority of this Order, for all or any of the following purposes, that is to say :—

For regulating the use of the bell, whistle, or other warning apparatus fixed to the engine:

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets, and at such places, and in such cases of horses being frightened, or of impending danger as the Board of Trade may deem proper for securing safety:

For regulating the entrance to, exit from, and accommodation in the carriages used on such tramways, and the protection of passengers from the machinery of any engine used for drawing or propelling such carriages:

For providing for the due publicity of all regulations and byelaws in force for the time being in relation to such tramways by exhibition of the same in conspicuous places on the carriages and elsewhere.

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Order shall be liable to a penalty not exceeding forty shillings.

As to recovery of penalties.

29. The provisions of the Tramways Act, 1870, with respect to the recovery of penalties, shall apply to any penalty under this Order, and to any penalty for non-observance of any byelaw made by the Board of Trade under the authority of this Order.

Amendment of the Tramways Act, 1870, as to byelaws by local authority.

30. The provisions of the Tramways Act, 1870, relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the tramway, shall not authorise the local authority to make any byelaw sanctioning a higher rate of speed than that authorised by this Order, or by any regulation made by the Board of Trade under the authority of this Order, at which engines and carriages are to be driven or propelled on the said tramways under the authority of this Order, but the local authority may, if they think fit, make byelaws under the provisions of the said Act for restricting the rate of speed to a lower rate than that so prescribed.

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Orders and byelaws to be signed, &c.

31. All orders and byelaws made and consents, approvals and certificates given by the Board of Trade under the authority of this Order shall be signed by a secretary or an assistant secretary of the Board of Trade, and when purporting to be so signed the same shall be deemed to have been duly made or given in accordance with the provisions of this Order, and may be proved in manner provided by the Documentary Evidence Act, 1868, with respect to orders and regulations.

As to contracts with road authorities where electrical or mechanical power is to be used.

32. Where the Promoters or any person intend or intends to use electrical or mechanical power under the authority of this Order on the said tramways or any part thereof, they or he shall give two months' previous notice in writing of such intention to every road authority within whose district the said tramways or such part thereof upon which they or he intend or intends to use such power are or is situate.

Where at the time of giving any such notice any contract, agreement, or arrangement between the Promoters or such person and such road authority is in force with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the said tramways or such part of the said tramways are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving and keeping in repair of such road, then and in every such case, with the consent of the Board of Trade, it shall be lawful for the Promoters or such person by such notice, or for such road authority by notice to be served upon the Promoters or such person, not later than forty days after the receipt by such road authority of such first-mentioned notice to determine such contract, agreement, or arrangement, and thereupon such contract, agreement, or arrangement shall, from and after the commencement of the use of electrical or mechanical power upon the said tramways or such part thereof be determined and of no effect.

Before using electrical or mechanical power on the said tramways or any part thereof, and thereafter from time to time, the Promoters or such person and every such road authority may enter into or renew, with or without modification, any contract, agreement, or arrangement with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority upon which the said tramways, or such part thereof, are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving or keeping in repair of such road which they may think fit and the Board of Trade may approve.

In case any difference arises between any such road authority and the Promoters or such person, as to the determination of any such contract, agreement, or arrangement, or in case any such road authority, after request in writing by the Promoters or such person, or the Promoters or such person after request in writing by any such road authority, during a period of one month after such request, refuse or fail to enter into any such contract, agreement, or arrangement, or to renew the same with or without modification, or to make a new contract instead thereof, or in case of any difference as to the terms of any such contract, agreement, or arrangement, or any renewal thereof, with or without modification, or any new contract instead thereof, then, and in every such case, the difference

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with respect to such determination, or the reasonableness of such refusal or failure, or the terms of such contract, agreement, or arrangement, or any renewal thereof, with or without modification, or any new contract instead thereof, shall from time to time, on the appeal of either of the parties to the Board of Trade, be determined in manner provided by the Tramways Act, 1870, with respect to differences between the Promoters and any road authority, and thereupon the parties shall in all respects conform to such determination, and make and observe any contract, agreement, or arrangement thereby prescribed: Provided always that while any such appeal is pending the Board of Trade may order that no electrical or mechanical power shall be used on the tramways to which such appeal relates.

No electrical or mechanical power shall be used on the said tramways, or any part of the said tramways, unless there is in force in relation to the said tramways, or such part of the said tramways, a contract, agreement, or arrangement in accordance with the provisions of this section.

Any moneys which may from time to time be received by such road authority under any contract, agreement, or arrangement, in accordance with the provisions of this section, shall be applied by them towards the expenses of repairing, improving, and maintaining the highways within their district, having regard in the first instance to the requirements of the roads upon which the said tramways are laid.

Where electrical or mechanical power is used contract with road authority not to be for longer than two years at a time.

33. Where electrical or mechanical power is used by the Promoters, or any person on the said tramways or any part thereof, no contract, agreement, or arrangement made before or after the commencement of the use of electrical or mechanical power as aforesaid between the Promoters or such person and any road authority, with respect to the user by the Promoters or such person, or the paving and keeping in repair of the whole or any part of the roadway of any road within the district of such road authority, upon which the said tramways or such part thereof are or is laid, or with respect to the payment by the Promoters or such person to such road authority of any annual or other sum in relation to such user, paving and keeping in repair of such road shall continue in force for any period exceeding two years at any one time after the commencement of the use of electrical or mechanical power as aforesaid, or the making of such contract, agreement, or arrangement. Provided always that any such contract, agreement, or arrangement may from time to time be renewed with or without modification, or a new contract, agreement, or arrangement may be made instead thereof.

*Traffic upon Tramways.*

Traffic upon tramways.

34. The tramways may be used for the purpose of conveying passengers, animals, goods, minerals, and parcels.

Railway carriages not to be used.

35. No carriages adapted for use upon railways shall be used upon the tramways.

Promoters not bound to carry animals, &c.

36. The Promoters shall not be bound to carry, unless they think fit, any animals, goods, minerals, or parcels, other than passengers' luggage, not exceeding twenty-eight pounds in weight.

As to carriage of animals, goods, &c.

37. In case the Promoters carry animals, goods, minerals, or parcels, they may, and when required by the local authority shall carry the same in separate

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carriages, or separate parts of carriages set apart for that purpose. Provided that this provision shall not apply to the carriage of passengers' luggage.

As to traffic on tramways on Sundays.

38. The Promoters shall not run or permit or suffer to run upon the tramways within the city any car or carriage on a Sunday before the hour of two o'clock in the afternoon, nor run or permit or suffer to run any car or carriage past any place of worship within the city during the time of divine service on a Sunday at a faster pace than a walking pace, and if the Promoters at any time fail to comply with either of these provisions they shall be subject to a penalty not exceeding forty shillings for every time they so fail, and such penalty may be recovered as by section 56 of the Tramways Act, 1870, is provided.

*Tolls.*

Tolls.

39. The tramways constructed under the authority of this Order shall, for the purposes of tolls and charges, be deemed to form part of the undertaking of the Promoters authorised by the Order of 1875, and it shall be lawful for the Promoters to demand and receive such tolls and charges in respect of each and every description of traffic upon the tramways as they would have been entitled to demand and receive if the same had originally formed part of the said undertaking of the Promoters.

Provided that each of the routes hereinafter specified, although consisting of two or more tramways, or portions of tramways, shall, for the purpose of tolls and charges, be deemed to be one continuous tramway, and passengers shall be entitled to travel thereon, or on any part thereof, on payment to the Promoters of fares computed at one through rate for each journey made by any passenger; but the Promoters may, at their option, convey the passengers in one or more car or cars.

| | |
|---|---|
| From or to St. John's Church, Redland. | To or from Arnos Vale Cemetery, Bath Road. |
| From or to the station of the Port and Pier Railway, Hotwells. | To or from the junction of Ashley Road and Lower Ashley Road, viâ Stoke's Croft and City Road, or viâ Cumberland Street, by whichever route cars between these points may for the time being be running. |
| Ditto. | To or from the junction of Thornleigh Road North with Gloucester Road, Bishopston. |
| Ditto. | To or from Arnos Vale Cemetery, Bath Road. |
| From or to Cannon Street, Bedminster. | To or from the "King's Arms" publichouse, High Street, Kingswood. |

Provided also that if the Promoters at any time run through cars over any route other than those specified in this section, every such route shall be deemed to be one continuous tramway, and passengers shall be entitled to travel on such through cars upon payment of a fare or fares at one through rate for each journey made by any passenger.

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Passengers' luggage.

40. Every passenger travelling upon the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof. All such personal luggage to be carried by hand, and at the responsibility of the passenger, and not to occupy any part of a seat, nor to be of a form or description to annoy or inconvenience other passengers.

Cheap fares for labouring classes.

41. The Promoters at all times after the opening of the tramways, or any part thereof, for public traffic, shall, and they are hereby required to run at least two carriages each way every morning in the week, and every evening in the week (Sundays, Christmas Day, and Good Friday always excepted , at such hours, not being later than seven in the morning, nor earlier than six in the evening respectively, as the Promoters think most convenient, for artisans, mechanics, and daily labourers, at tolls or charges not exceeding one halfpenny per mile (the Promoters, nevertheless, not being required to take any fare less than one penny): Provided that in case of any complaint made to the Board of Trade of the hours appointed by the Promoters for the running of such carriages, the said Board shall have power to fix and regulate the same from time to time.

Payment of tolls.

42. The tolls and charges by this Order authorised shall be paid to such persons, and at such places upon or near to the tramways, and in such manner and under such regulations as the Promoters may, by notice to be annexed to the list of tolls and charges, appoint.

Periodical revision of tolls.

43. If at any time after three years from the opening for public traffic of the tramways, or any portion of the tramways, or after three years from the date of any order made in pursuance of this section in respect of the tramways or any portion of the tramways, it is represented in writing to the Board of Trade by the local authority of any district in which the tramways or such portion of the tramways are or is wholly or partially situate, or by twenty inhabitant ratepayers of any such district, or by the Promoters, that under the circumstances then existing all or any of the tolls and charges demanded and taken in respect of the traffic on the tramways, or on such portion of the tramways, should be revised, the Board of Trade may (if they think fit) direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act, 1870, and if such referee report that it has been proved to his satisfaction that all or any of such tolls and charges should be revised, the said Board may make an order in writing altering, modifying, reducing, or increasing all or any of the tolls and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they may think fit, and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section: Provided always that the tolls and charges prescribed by any such order shall not exceed in amount the tolls and charges by this Order authorised. Provided also that a copy of this section shall be annexed to every table or list of tolls published or exhibited by the Promoters.

*Miscellaneous.*

Removal of certain tramways by Corporation.

44. If at any time it appears to the Corporation desirable that any of the tramways within the city or any part of such tramways, should be removed, the Corporation may remove the same at any time after the expiration of six months'

notice given by the Corporation to the Promoters, upon paying or making proper compensation to the Promoters, such compensation in case of difference to be settled in the manner specified in section thirty-three of the Tramways Act, 1870, for the settlement of the differences in the said section mentioned.

Provisions as to arbitration.

45. Where, under the provisions of the Tramways Act, 1870, and this Order, any matter in difference is referred to the arbitration of any person nominated by the Board of Trade, the provisions of the Arbitration Act, 1889, shall, except where otherwise specially provided, apply to every such arbitration, and the decision of the arbitrator shall be final and conclusive and binding on all parties, and the costs of and incidental to the arbitration and award shall, if either party so require, be taxed and settled as between the parties by any one of the taxing masters of the High Court of Justice, and such fees may be taken in respect of the taxation as may be fixed in pursuance of the enactments relating to the fees to be demanded and taken in the offices of such masters, and all those enactments, including the enactments relating to the taking of fees by means of stamps, shall extend to the fees in respect of the said taxation.

Form and delivery of notices.

46. With respect to notices and to the delivery thereof by or to the Promoters, the following provisions shall have effect (that is to say):—

(1.) Every notice shall be in writing, and if given by the Promoters or by any local authority, or any road authority, shall be signed by their secretary or clerk, and if given by the Corporation in any capacity other than that of local authority shall be signed by the town clerk.

(2.) Any notice to be delivered by or to the Promoters, to or by any local authority, or any road authority or other body, or any company, may be delivered by being left at the principal office of such authority, body or company, or of the Promoters, as the case may be, or by being sent by post in a registered letter, addressed to their respective clerk or secretary at such principal office.

Approval of Board of Trade to sale.

47. No sale or assignment of the undertaking shall have any validity or effect until after the approval of the Board of Trade to such sale or assignment has been signified in writing.

Saving as powers of borrowing on mortgage.

48. Nothing in this Order or in the Tramways Act, 1870, contained shall prevent the Promoters borrowing money on the security of mortgages of the undertaking, or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage. Provided that every mortgage of the undertaking shall be deemed to comprise all purchase-money which may be paid to the Promoters in the event of a compulsory sale of the undertaking or any part thereof to the local authority under section forty-three of the Tramways Act, 1870, and that any mortgage granted by the Promoters shall not be a charge upon the undertaking or any part thereof in the event of the undertaking or such part being purchased by the local authority under section forty-three of the Tramways Act, 1870, and that every mortgage deed granted by the Promoters shall be endorsed with notice to that effect.

Provision as to telegraphs and telephones.

49. The following provision shall have effect in the event of any tramways of the Promoters being worked by electricity otherwise than by electrical power carried along with the carriages (that is to say):—

(1) The Promoters shall so construct their electric circuits and other works of all descriptions, and shall so work their tramway in all respects as not

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injuriously to affect the working of any existing electric circuits from time to time used or intended to be used for the purpose of telegraphic, telephonic, or electric signalling communication, or the currents in such circuits, and shall use every reasonable means in the construction of their circuits, and other works of all descriptions, and in the working of their undertaking to prevent injurious affection, whether by induction or otherwise, to any electric circuits used or intended to be used for the purposes aforesaid (whether existing at the time of the construction of the electric circuits or other works of the Promoters or not) or the currents in such circuits.

Provided that as regards electric circuits erected or laid down by parties other than the Promoters after the construction of the works of the Promoters, this sub-section shall only apply if, in the erection, laying down and working of such circuits, reasonable and proper precautions against injurious interference with other electric circuits have been taken, and if they have not been erected or laid down in unreasonably close proximity to the lines or works of the Promoters.

(2.) Seven days before commencing to lay down or place any electric line, or to use any electric line in any manner, whereby the work of telegraphic or telephonic or electric signalling communication through any wire or line lawfully laid down or placed in any position may be injuriously affected, the Promoters shall, unless otherwise agreed between the parties interested, give to the owner of such wire or line notice in writing, specifying the course, nature and gauge of such electric line, and the manner in which such electric line is intended to be used, and the amount and nature of the currents intended to be transmitted thereby, and the extent to and manner in which (if at all) earth returns are proposed to be used; and any owner entitled to receive such notice may from time to time serve a requisition on the Promoters, requiring them to adopt such precautions as may be therein specified in regard to the laying, placing, or user of such electric line for the purpose of preventing such injurious affection, and the Promoters shall conform with such reasonable requirements as may be made by such owner for the purpose of preventing the communication through such wire or line from being injuriously affected as aforesaid.

If any difference arises between any such owner and the Promoters with respect to the reasonableness of any requirements so made, such difference shall be determined by arbitration.

Provided that nothing in this sub-section shall apply to repairs or renewals of any electric line so long as the course, nature and gauge of such electric line, and the amount and nature of the current transmitted thereby, are not altered.

(3.) If any difference or question arises between the parties or any of them under this section, such difference or question shall be determined by arbitration, and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.

(4.) Nothing in this section contained shall be held to deprive the owners of such electric circuits of any existing rights to proceed against the Promoters by indictment, action, or otherwise in relation to any of the matters aforesaid.

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50. In the event of any tramways of the Promoters being worked by electricity, the following provisions shall have effect:—

For protection of the Postmaster-General.

(1.) The Promoters shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General, and the currents in such telegraphic lines, and shall use every reasonable means in the construction of their electric lines and other works of all descriptions, and the working of their undertaking, to prevent injurious affection, whether by induction or otherwise, to such telegraphic lines, or the currents therein. If any question arises as to whether the Promoters have constructed their electric lines or other works, or work their undertaking in contravention of this sub-section, such questions shall be determined by arbitration, and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator.

(2.)—(*a.*) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs, or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance, and so continuing for a distance of six feet on each side of such point), the Promoters or their agents, not more than twenty-eight nor less than fourteen days before commencing the work, shall give written notice to the Postmaster-General, specifying the course of the line and the nature of the work, including the gauge of any wire, and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work.

(*b.*) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration.

(3.) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues, or if the telegraphic communication is wilfully interrupted, not exceeding fifty pounds for every day on which such interruption continues.

(4.) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident, or otherwise was a work of emergency, and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof, stating the reason for doing or executing the same without previous notice.

(5.) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is, whether through

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induction or otherwise, in any manner affected by such act or work, or by any use made of such work.

(6.) For the purposes of this section, and subject as therein provided, sections two, eight, nine, ten, eleven, and twelve of the Telegraph Act, 1878, shall be deemed to be incorporated with this Order, as if the Promoters were undertakers within the meaning of those sections, without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted, and, in particular, nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act, 1878, in relation to the matters mentioned in that section.

(7.) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act, 1882.

(8.) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party, whose decision shall be final, and sections thirty to thirty-two, both inclusive, of the Regulation of Railways Act, 1868, shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act.

(9.) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment, action, or otherwise, in relation to any of the matters aforesaid.

Carrying of mails by Promoters.

51.—(1.) The Promoters, if required by the Postmaster-General, shall perform with respect to any tramway owned or worked by them, all such reasonable services in regard to the conveyance of mails as Her Majesty's Postmaster-General from time to time requires, provided as follows:—

(*a.*) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried by the Promoters in or upon any carriage, that is to say:—

(i.) If the carriage is conveying or intended to convey passengers and not goods or parcels, then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers; and

(ii.) If the carriage is conveying or intended to convey parcels only, then in excess of such maximum weight as is for the time being fixed for ordinary parcels, or, if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such carriage, then as is for the time being fixed by agreement, or in default of agreement by a referee to be appointed at the request of either party by the Lord Chief Justice of England; and

(iii.) If the carriage is conveying or intended to convey both parcels and passengers, but not goods, then in excess of the maximum weight for the time being fixed for ordinary parcels, or for the luggage of ordinary passengers, whichever is the greater.

(*b.*) Mails when carried in or upon a carriage conveying passengers shall be so carried as not to inconvenience the passengers, but so nevertheless that the custody of the mails by any officer of the Post Office in charge thereof shall not be interfered with.

(*c.*) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried by the Promoters in or upon a carriage conveying, or intended to convey passengers, but not goods or parcels except in charge of an officer of the Post Office travelling as a passenger.

(*d.*) If the Promoters carry goods as well as passengers and parcels, the enactments relating to the conveyance of mails by railway shall, subject to the provisions of this section, apply in like manner as if the Promoters were a railway company and the tramway were a railway.

(2.) The remuneration for any services which have been performed by the Promoters in pursuance of this section shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the Promoters, or in default of agreement by a referee to be appointed by the Lord Chief Justice of England, at the request of either party, and this provision shall have effect in lieu of any provisions respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

(3.) For the purposes of this section the expression "mails" has the same meaning as in the Regulation of Railways Act, 1873, and includes parcels within the meaning of the Post Office (Parcels) Act, 1882.

(4.) For the purposes of this section a requisition by Her Majesty's Postmaster-General may be signified by writing under the hand of any person who is at the time either such Postmaster-General, or a secretary or assistant secretary of the Post Office, or the Inspector-General of Mails, and any document purporting to be signed by any such person as aforesaid, shall, until the contrary is proved, be deemed without proof of the official character of such person to have been duly signed as required by this section.

Saving for general Acts.

52. Notwithstanding anything in this Order contained the Promoters and any person using the tramways shall be subject and liable to the provisions of any general Act now in force, or which may hereafter be passed during this or any future session of Parliament relating to tramways, or by which any tax or duty may be granted or imposed for or in respect of tramways or the passengers or traffic conveyed thereon, and to any future revision or alteration under the authority of Parliament of the maximum rates of tolls and charges authorised by this Order, and to any condition, regulation, or restriction which may be imposed upon the use of tramways or upon the use on tramways of animal power, electrical power, or any mechanical power by any such general Act as aforesaid.

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## SCHEDULE.

Brake power of engines.

Every engine used on the said tramways shall be fitted with such mechanical appliances for preventing the motive power of such engine from operating and for bringing such engine and any carriage drawn or propelled by such engine to a stand, as the Board of Trade may from time to time think sufficient.

As to fittings of engines, &c.

Every engine used on the said tramways shall have its number shown in some conspicuous part thereof, and shall be fitted—

With an indicator by means of which the speed shall be shown ;

With a suitable fender to push aside obstructions ;

With a special bell, whistle, or other apparatus to be sounded as a warning when necessary ; and

With a seat for the driver of such engine, so placed in front of such engine as to command the fullest possible view of the road before him.

Every such engine shall be free from noise produced by blast or clatter of machinery, and the machinery shall be concealed from view at all points above four inches from the level of the rails, and all fire used on such engine shall be concealed from view.

As to carriages.

Every carriage used on the said tramways shall be so constructed as to provide for the safety of passengers, and for their safe entrance to, exit from, and accommodation in such carriage, and their protection from the machinery of any engine used for drawing or propelling such carriage.

Inspection of engines and carriages.

The Board of Trade shall, on the application of the local authority of any district in which electrical or any mechanical power is used on the said tramways, and may, on complaint made by any person, from time to time inspect any engine or carriage used on the said tramways and the machinery therein, and may whenever they think fit prohibit the use on the said tramways of any such engine or carriage which in their opinion may not be safe for use on the said tramways.

As to speed.

The speed at which engines and carriages may be driven or propelled along the said tramways shall not exceed the rate of eight miles an hour.

The speed at which engines and carriages may pass through movable facing points shall not exceed the rate of four miles an hour.

## LIVERPOOL CORPORATION TRAMWAYS (EXTENSIONS).

A.D. 1891.

*Liverpool.*

*Order authorising the Mayor Aldermen and Citizens of the City of Liverpool to construct additional Tramways in the said City.*

Short title.

1. This Order may be cited as the Liverpool Corporation Tramways (Extensions) Order 1891.

Incorporation of Acts.

2. The provisions of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order.

Interpretation.

3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings provided that in this Order—

The expressions "the tramways" and "the undertaking" shall mean respectively the tramways and works and the undertaking by this Order authorised:

The expression "the Order of 1883" shall mean the Liverpool Corporation Tramways (Extensions) Order 1883: and

The expression "the Corporation" shall mean the mayor aldermen and citizens of the city of Liverpool in the county of Lancaster acting by the council.

The Promoters.

4. The Corporation shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Construction of tramways.

5. The Promoters may construct and maintain subject to the provisions of this Order and in accordance with the plans and sections deposited for the purposes of this Order (in this Order referred to as "the deposited plans" and "the deposited sections") the tramways hereinafter described with all proper rails plates offices weigh-bridges stables carriage-houses warehouses works and conveniences connected therewith or for the purposes thereof:

The tramways authorised by this Order are—

Tramway No. 1 wholly situate in the township of Kirkdale in the parish of Walton-on-the-Hill in the city of Liverpool commencing by a junction with the existing tramway in Lambeth Road at a point five yards west of the west side of Stanley Road passing along Lambeth Road and Smith Street and terminating by a junction with the existing tramway in Smith Street at a point opposite the centre of Foley Street:

Tramway No. 1 shall be laid as a double line throughout The total length of Tramway No. 1 will be 1 furlong 7·7 chains.

Tramway No. 1A wholly situate in the township of Kirkdale in the parish of Walton-on-the-Hill in the city of Liverpool commencing by a junction with the existing tramway in Stanley Road at a point six yards north of the north side of Lambeth Road and terminating in Lambeth Road by a junction with Tramway No. 1 at a point six yards east of the east side of Stanley Road:

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Tramway No. 1A shall be laid as a double line throughout:

The total length of Tramway No. 1A will be 1·2 chains.

Tramway No. 2 wholly situate in the township of Kirkdale in the parish of Walton-on-the-Hill in the city of Liverpool commencing by a junction with Tramway No. 1 in Lambeth Road at a point eight yards west of the west side of Smith Street passing into and along Smith Street and terminating by a junction with the existing tramway in Smith Street at a point four yards south of the south side of St. John's Terrace:

Tramway No. 2 shall be laid as a single line throughout:

The total length of Tramway No. 2 will be 3·3 chains.

Tramway No. 3 wholly situate in the parish and city of Liverpool commencing by a junction with the existing tramway in Lime Street at a point two yards south of the south side of London Road passing along Commutation Row and Islington and terminating by a junction with the existing tramway in St. Anne Street at a point nine yards north of the north side of Islington.

Tramway No. 3 shall be laid as a double line throughout except between the points hereinafter specified where it shall be laid as a single line (that is to say):

In Islington between a point two yards east of the east side of Commutation Row and a point nine yards west of the west side of Christian Street:

In Islington between a point four yards east of the east side of Clare Street and the termination of the tramway in St. Anne Street:

The total length of Tramway No. 3 will be 1 furlong 5·6 chains:

The total length of the double portion will be 1 furlong 0·1 chain:

The total length of the single portion will be 5·5 chains.

Motive power.

6. The carriages used on the tramways may subject to the provisions of this Order be moved by animal power and during such period not exceeding seven years from the passing of the Act confirming this Order as the Promoters by writing under the hand of the town clerk of Liverpool may specify, and with the consent of the Board of Trade during such further periods not exceeding seven years as the said Board may from time to time specify in any order signed by a secretary or assistant secretary of the said Board by steam or electrical power or by any mechanical power including haulage by means of wire ropes or cables placed underground and worked by stationary engine power:

Provided always that the exercise of the powers hereby conferred with respect to the use of steam electrical or any mechanical power shall be subject to the regulations set forth in Schedule A to the Order of 1883 annexed and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time as and when they may think fit for securing to the public all reasonable protection against danger in the exercise of the powers by this Order conferred with respect to the use of steam electrical or mechanical power on the tramways:

Provided also that the lessees under any lease made by the Promoters shall not use steam electrical or any mechanical power on the tramways or any part thereof unless they are authorised to do so by special permission in such lease

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and the Promoters may with the consent of the Board of Trade and subject to the provisions of this Order either by such lease or from time to time during the currency thereof attach to such special permission such conditions and restrictions (not being inconsistent with the provisions of this Order) as they may in each case think fit.

Extending to this Order certain provisions of Order of 1883.

7. The following provisions of the Order of 1883 (that is to say) sections eight to fifteen both inclusive sections seventeen to thirty-nine both inclusive and sections forty-seven and forty-eight and the Schedules A and B to the said Order annexed shall so far as the same are applicable extend and apply to the tramways and undertaking by this Order authorised in like manner in every respect as if the tramways and undertaking by this Order authorised formed part of the tramways and undertaking authorised by the Order of 1883 and for the purpose of such application the expressions "the tramways" and "the undertaking" in the said provisions shall be construed to include the tramways and the undertaking as defined by this Order, the expression "mechanical power" shall be construed to include electrical power, and section thirty-eight of the Order of 1883 shall be construed as though the Arbitration Act 1889 were therein referred to in lieu of the Common Law Procedure Act 1854.

Extending section thirty-three and First Schedule of Liverpool Tramways Act 1882.

8. The provisions of section thirty-three of the Liverpool Tramways Act 1882 and of the schedule therein referred to shall so far as the same are applicable extend and apply to the tramways by this Order authorised and to the rates of fares in respect of the traffic thereon in the like manner in every respect as if the tramways by this order authorised formed part of the tramways by the said Act authorised and for the purpose of such application the expression "the tramways" in the said provisions shall be construed to include the tramways as defined by this Order.

Promoters to grant lease to the Liverpool United Tramways and Omnibus Company.

9. So soon as the tramways shall have been completed and certified by the Board of Trade to be fit for public traffic the Corporation shall grant and the Liverpool United Tramways and Omnibus Company shall accept a lease thereof at a rent equal to ten per cent. per annum on the cost of the construction of such tramways which cost shall for the purpose of estimating such rent be deemed to be three thousand and ten pounds in respect of Tramways Nos. 1, 1A and 2 and one thousand eight hundred and forty-one pounds in respect of Tramway No. 3. The said lease shall be for a term to expire on the first day of January one thousand nine hundred and five and shall so far as the same are applicable contain the same covenants and conditions as the lease dated the first day of January one thousand eight hundred and eighty-five granted by the Corporation to the said Company.

Borrowing powers.

10. The Corporation may under and according to the provisions contained in section twenty of the Tramways Act 1870 borrow for the purposes of this Order in addition to any sum or sums of money they are already authorised to borrow any sum or sums of money not exceeding in the whole four thousand eight hundred and fifty-one pounds and the time for which such sum of four thousand eight hundred and fifty-one pounds may be borrowed shall be thirty years and for the purpose of such borrowing the Corporation may include in any mortgage of the local rate the moneys coming to them out of the rents reserved under any lease made under the authority of this Order and the tolls charges

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and sums authorised to be taken or received by them under the provisions of this Order.

Power to issue stock.

11. For the purpose of raising the moneys authorised to be borrowed for the purposes of this Order the Corporation may from time to time create and issue Liverpool Corporation Stock to an amount not exceeding in the whole four thousand eight hundred and fifty-one pounds in nominal amount under the Liverpool Corporation Loans Act 1880.

Audit of accounts.

12. Sections two hundred and forty-six and two hundred and fifty of the Public Health Act 1875 shall apply to the audit of the accounts of the receipts and expenditure of the Corporation and their officers with respect to the tramways as if such accounts related to receipts and expenditure under that Act.

Carrying of mails by lessees.

13.—(1) The lessees or any company or person working the tramways (who are hereinafter in this section included in the expression "lessees") if required by the Postmaster-General shall perform with such respect to any tramway owned or worked by them all such reasonable services in regard to the conveyance of mails as Her Majesty's Postmaster-General from time to time requires Provided as follows:—

(A) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried by the lessees in or upon any carriage (that is to say):

(i.) If the carriage is conveying or intended to convey passengers and not goods or parcels then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers; and

(ii.) If the carriage is conveying or intended to convey parcels only then in excess of such maximum weight as is for the time being fixed for ordinary parcels or if that maximum appears to the Postmaster-General to be so low as to exclude him from availing himself of the use of any such carriage then as is for the time being fixed by agreement or in default of agreement by a referee to be appointed at the request of either party by the Lord Chief Justice of England; and

(iii.) If the carriage is conveying or intended to convey both parcels and passengers but not goods then in excess of the maximum weight for the time being fixed for ordinary parcels or for the luggage of ordinary passengers whichever is the greater;

(B) Mails when carried in or upon a carriage conveying passengers shall be so carried as not to inconvenience the passengers but so nevertheless that the custody of the mails by any officer of the Post Office in charge thereof shall not be interfered with;

(C) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried by the lessees in or upon a carriage conveying or intended to convey passengers but not goods or parcels except in charge of an officer of the Post Office travelling as a passenger;

(D) If the lessees carry goods as well as passengers and parcels the enactments relating to the conveyance of mails by railway shall subject to the provisions of this section apply in like manner as if the lessees were a railway company and the tramway were a railway.

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(2) The remuneration for any services which have been performed by the lessees in pursuance of this section shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the lessees or in default of agreement by a referee to be appointed by the Lord Chief Justice of England at the request of either party and this provision shall have effect in lieu of any provisions respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

(3) For the purposes of this section the expression "mails" has the same meaning as in the Regulation of Railways Act 1873 and includes parcels within the meaning of the Post Office (Parcels) Act 1882.

(4) For the purposes of this section a requisition by Her Majesty's Postmaster-General may be signified by writing under the hand of any person who is at the time either such Postmaster-General or a secretary or assistant secretary of the Post Office or the Inspector-General of Mails and any document purporting to be signed by any such person as aforesaid shall until the contrary is proved be deemed without proof of the official character of such person to have been duly signed as required by this section.

For the protection of telegraph and telephone wires.

14. The following provisions shall have effect with regard to any tramway of the promoters in the event of the same being worked by electricity otherwise than by electrical power carried along with the carriages (that is to say),

(1.) The promoters and every company or person working any of the tramways of the promoters (who are herein-after in this section included in the expression "the promoters") shall so construct their electric circuits and other works of all descriptions, and shall so work their tramway in all respects as to prevent any injurious interference by induction or otherwise with other electric circuits from time to time used for the purpose of telegraphic, telephonic, or electric signalling communication, or with the currents in such circuits; provided that as regards electric circuits erected or laid down after the construction of the works of the promoters this subsection shall only apply if reasonable and proper precautions have been taken in the erection or laying down of such circuits; and if they have not been erected or laid down in unreasonably close proximity to the lines or works of the promoters.

(2.) Seven days before commencing to lay down any electric line or to supply electricity through any electric line in any manner whereby the work of telegraphic, telephonic, or electric signalling communication through any wires or lines lawfully laid down or placed in any position may be injuriously affected, the Promoters shall, unless otherwise agreed with the parties interested, give to the body or person for the time being entitled to such wires or lines, notice in writing, specifying the course, nature, and gauge of such electric line, and the amount and nature of the current intended to be sent along the same, and the Promoters shall conform with such reasonable requirements as may from time to time be made by such body or person as aforesaid, for the purpose of preventing the communication through such wires or lines from being injuriously affected as aforesaid.

(3.) If any difference arises between the promoters and any such body or person with respect to anything in this section contained, such difference

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shall be determined by the Board of Trade, whose decision shall be final; and sections 30 to 32, both inclusive, of the Regulation of Railways Act, 1868, shall apply in like manner as if the promoters and such body or person as aforesaid were companies within the meaning of that Act.

(4.) Nothing in this section shall apply to repairs or renewals of any electric line so long as the course, nature, and gauge of such electric line, and the amount and nature of the current sent along the same are not altered.

For protection of the Postmaster-General.

15. In the event of any of the tramways of the Promoters being worked by electricity the following provisions shall have effect:—

(1) The Promoters and any company or person working the tramways (who are hereinafter in this section included in the expression "Promoters") shall construct their electric lines and other works of all descriptions and shall work the undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of the undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein If any question arises as to whether the Promoters have constructed their electric lines or other works or work the undertaking in contravention of this sub-section such question shall be determined by arbitration and the Promoters shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator;

(2)—(A) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Promoters or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Promoters and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work;

(B) Any difference which arises between the Postmaster-General and the Promoters or their agents with respect to any requirements so made shall be determined by arbitration;

(3) In the event of any contravention of or wilful non-compliance with this section by the Promoters or their agents the Promoters shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues;

(4) Provided that nothing in this section shall subject the Promoters or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice;

(5) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work;

(6) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be deemed to be incorporated with this Order as if the Promoters were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act 1878 in relation to the matters mentioned in that section;

(7) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882;

(8) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections thirty to thirty-two both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Promoters or their agents were a company within the meaning of that Act;

(9) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Promoters by indictment action or otherwise in relation to any of the matters aforesaid.

# Tramways Provisional Orders Confirmation (No. 2). [H.L.]

A

# B I L L

INTITULED

An Act to confirm certain Provisional Orde made by the Board of Trade under th Tramways Act, 1870, relating to Birmin ham Central Tramways, Bristol Tramwa (Extension), and Liverpool Corporatio Tramways (Extensions).

(*Brought from the Lords* 26 *June* 1891.)

*Ordered, by* The House of Commons, *to be Printed*, 26 *June* 1891.

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[*Price* 5*d.*]

[Bill 394.]

# Transfer of Railways (Ireland) Bill.

## ARRANGEMENT OF CLAUSES.


Clause.

1. Agreement for transfer of undertaking.
2. Sanction of shareholders to agreement.
3. Approval of Railway and Canal Commission.
4. Dissolution of promoters and vesting of the undertaking in the railway company.
5. Directors of promoting company to wind up affairs.
6. Baronial guarantees to remain in force.
7. Keeping of accounts.
8. Audit of accounts.
9. Baronial representation.
10. Completion and maintenance of the undertaking.
11. Power to issue baronial guaranteed shares.
12. Power to railway company to guarantee payment or punctual payment on baronial guaranteed shares.
13. Dividends on baronial guaranteed shares.
14. Order in Council giving powers to railway company.
15. Application of money.
16. Power to the Lord Lieutenant to make rules.
17. Taking possession of land.
18. Interpretation.
19. Short title.

A

# B I L L

TO

Authorise the Transfer of the Powers of Promoters of Railway and Tramway Undertakings, under the Tramways (Ireland) Acts, to certain existing Railway Companies, and for other purposes. A.D. 1890.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Agreement for transfer of undertaking.

**1.** The promoters of any undertaking who have obtained from any grand jury a presentment under the Tramways (Ireland) Acts, approving of the undertaking, may enter into an agreement with any railway company with any of whose railways the promoters undertaking is, or is intended to be, connected, for the transfer to and vesting in the railway company of the promoters undertaking, and this provision shall apply to agreements entered into both before and after the *passing of this Act*.

Sanction of shareholders to agreements.

**2.** The agreement for transfer shall not have any operation unless and until it has been sanctioned (either before or after the *passing of this Act*) by three-fifths of the votes of the shareholders and stockholders of the railway company in whom the undertaking is to be vested entitled to vote at meetings of such company and present (personally or by proxy) at a general meeting thereof specially convened for the purpose in accordance with the provisions of Part III. of the Railways Clauses Act, 1863. 26 & 27 Vict. c. 92.

Approval of Railway and Canal Commission.

**3.** The agreement for transfer shall not have any operation until it is approved by the Railway and Canal Commission, and the said Commission shall not approve of the agreement without being satisfied that it has been sanctioned as aforesaid.

Dissolution of promoters and vesting of the under-

**4.** Upon the agreement for transfer being approved by the Railway and Canal Commission, the undertaking of the promoters shall become and be transferred to and vested in the railway company,

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Taking in the railway company.

and the promoters, if a public company, shall be dissolved, and all the powers of the promoters with respect to the transferred undertaking may be exercised by the railway company in their own name and under their own seal, or under the hands of their directors, secretary, officers, and servants, and the Railways (Ireland) Act, 1890, shall apply as if the undertaking were a light railway for the construction, maintenance, and working of which the Treasury have made an agreement with a railway company.

53 & 54 Vict. c. 52.

26 & 27 Vict. c. 92.

Part V. of the Railways Clauses Act, 1863, relating to amalgamation, shall be incorporated with this Act, and in the construction of that part for the purposes of such incorporation :—

(*a.*) this Act and the agreement for transfer shall together be deemed to be the amalgamating Act; and

(*b.*) the said transfer, vesting, and dissolution shall be deemed to be an amalgamation; and

(*c.*) the railway company shall be deemed to be the amalgamated company, and the promoters the dissolved company; and

(*d.*) the date at which the agreement for transfer is approved by the Railway and Canal Commission shall be deemed to be the time of amalgamation; and

(*e.*) any grand jury presentment relating to the undertaking, and any Order in Council or Act of Parliament confirming such presentment which shall be in force at the date of the approval of the agreement for transfer by the Railway and Canal Commission, shall be deemed to be special Acts relating to or affecting the dissolved company or their undertaking in force at the passing of the amalgamating Act.

Provided always, that except as may be otherwise provided by the agreement for transfer, no debt due by the promoters shall become or be payable by, nor shall any clerk, officer, or servant of the promoters become or be a clerk, officer, or servant of the railway company.

Directors of promoting company to wind up affairs.

**5.** The directors of any company which may be dissolved under the provisions of this Act who may be in office immediately before the dissolution, and the survivors or survivor of them, may, notwithstanding the dissolution of the company, continue to act and may take any proceedings necessary or proper for winding up the affairs of that company and distributing the assets thereof (if any).

Baronial guarantees to remain in force.

**6.** Notwithstanding the transfer to and vesting in the railway company of the promoters undertaking, any sums payable by any baronies or parts of baronies which under the provisions of

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the Tramways (Ireland) Acts have or may become chargeable with the payment of dividends on the capital of the promoters or any part thereof, or with the payment of any sums for the completion of the undertaking, shall be payable to the railway company, and the provisions of the Tramways and Public Companies (Ireland) Act, 1883 (in this Act called the Act of 1883), as to ascertaining the half-yearly sum to be paid by the said baronies and parts of baronies shall remain in full force and effect and the railway company shall keep all such accounts of expenditure and receipts as the promoting company were required to keep.

46 & 47 Vict. c. 43.

Keeping of accounts.

**7.** In every case in which a baronial guarantee has been given under the Tramways (Ireland) Acts, in respect of dividends on the capital of the promoters during the continuance of such guarantee the railway company shall keep full, true, and distinct books of account showing the capital of the transferred undertaking and its receipts from every source and its expenditure, and they shall keep and preserve all receipts and other documents necessary for vouching the same, and shall at all reasonable times produce the said books, receipts and documents for the inspection of the auditor to be appointed as herein-after mentioned, and also of such person as the Treasury may from time to time appoint for the like purpose, and also of the arbitrators appointed pursuant to section six of the Act of 1883.

Audit of accounts.

**8.**—(1.) The grand jury of any county in which any barony or part of a barony chargeable under the Tramways (Ireland) Acts with the payment of any sum in respect of dividends on the capital of the promoters is situate, shall from time to time during the continuance of the guarantee appoint a fit and proper person to audit the accounts of the railway company in respect of the transferred undertaking.

(2.) It shall be the duty of the said auditor, twice in each year, at a reasonable time before each spring and summer assizes for such county, to audit the accounts of the railway company with respect to the transferred undertaking, and he shall furnish a statement of the result of the audit to the Commissioners of Public Works in Ireland, and to the secretary of the said grand jury, and to the arbitrators appointed for the said company under the sixth section of the Act of 1883.

(3.) In case an auditor dies or declines to act, or becomes incapable of acting, the Board of Trade may appoint another fit and proper person to be auditor in his place, who shall proceed to audit

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the said accounts, and to furnish the statements herein-before specified within a reasonable time after his appointment.

(4.) The expenses of the audit shall be paid by the railway company, and, in case of difference as to their amount, they shall pay such sum in respect of the said expenses as may be fixed by the Board of Trade.

Baronial representation.

**9.** Except as in this Act provided, no grand jury or barony shall be represented in the affairs or finance of the railway company in relation to the transferred undertaking.

Completion and maintenance of the undertaking.

**10.** The railway company shall, if the undertaking shall not be complete at the time of its transfer, complete the same within the time limited, and in accordance with the conditions contained in the Order in Council authorising its construction.

And shall (notwithstanding that the receipts from the undertaking may or shall be insufficient to defray the expenses of managing and of efficiently working and maintaining the undertaking, and before any grand jury shall be called upon to incur any liability under section ten of the Act of 1883, or Order in Council providing for the maintenance and working of the undertaking), at all times efficiently work the undertaking as part of their own railway system.

46 & 47 Vict. c. 43.

And if the earnings of the undertaking shall be insufficient to defray the expenses of working and maintaining it, then the railway company shall at all times work the undertaking out of the general revenue and profits of their other undertakings, and shall at all times at the like expense keep the undertaking in good order, condition and repair.

Power to issue baronial guaranteed shares.

**11.** The railway company in addition to any share capital they are authorised to raise under the provisions of this Act, may for the purposes of the undertaking, create and issue new shares to the extent to which the capital of the promoters (if any) upon which payment of dividends may have been guaranteed pursuant to the provisions of the Act of 1883, shall not have been issued, and such shares are in this Act referred to as the baronial guaranteed shares and shall be designated in the books of the railway company and the certificates issued therefor by the same or some other similar appropriate description.

The railway company in lieu of issuing all or any of the baronial guaranteed shares which they are by this Act authorised to create and issue, may raise by the creation and issue of debenture stock of the railway company the like amount of capital which they are by

this Act authorised to raise by the creation and issue of the baronial guaranteed shares which shall not be created and issued, and to the extent to which the power shall be exercised, the railway company shall be deemed to be the owners of the baronial guaranteed shares which by reason of the exercise of such powers shall not be issued and shall be entitled to receive and retain the dividends thereon. And the creation and issue of such debenture stock shall be subject to the provisions of Part III. of the Companies Clauses Act, 1863, but notwithstanding anything therein contained, the interest of all debenture stock at any time after the agreement for transfer shall have been approved by the Railway and Canal Commission, shall rank pari passu with the interest of all mortgages at any time thereafter granted by the railway company, and shall have priority over all principal moneys secured by such mortgages.

26 & 27 Vict. c. 118.

Power to railway company to guarantee payment or punctual payment on baronial guaranteed shares.

**12.** The railway company shall have power to enter into any agreement with or to give any guarantee to the holders of baronial guaranteed shares, that the dividends at the guaranteed rate on such shares shall be paid on any date or dates to be fixed by the railway company, or otherwise to guarantee or undertake the payment or punctual payment of the dividends on such shares. And the railway company shall have power by any such agreement or guarantee or for the purposes thereof, to charge or bind all or any of the undertakings and property of the railway company other than the transferred undertaking, and shall have power, from time to time, to apply any of the income or profits, or accumulated income or profits of all or any of the undertakings or property of the railway company, in advancing or paying to the holders of the baronial guaranteed shares the amount of the dividends thereon at the rate aforesaid, as the same shall from time to time become due, or upon such date or dates as shall be fixed by the railway company, but any such charge or obligation upon the undertakings and property of the railway company, created by any such agreement or guarantee, and any such application of the income or profits thereof in payments of such dividends shall be subject to the rights of the holders of any existing debentures, debenture stock, guaranteed or preference stock or shares of the railway company, and in the event of the railway company advancing or paying any sum in respect of such dividends, out of any source other than the net profits of the transferred undertaking, such advance or payment shall not prejudice or affect the liability of any baronies in respect of such dividends, or any presentment to be made in respect thereof, but the railway

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company shall be entitled to receive in repayment of any such advance or payment any sums chargeable upon such baronies in respect of such dividends so advanced or paid by the railway company, and which the said baronies would have been liable to pay if the amount of such dividends had not been advanced or paid by the railway company.

Dividends on baronial guaranteed shares.

**13.** The net receipts from time to time of the transferred undertaking applicable to dividend shall be applied in the first place in payment of dividend on the baronial guaranteed shares at the rate prescribed in the presentment of the grand jury by which the guarantee shall have been given, and subject to any agreement or guarantee which may be made or given by the railway company under this Act the holders of those shares shall not be entitled to any dividend out of any receipts or profits of the railway company other than the net profits of the transferred undertaking. And the holders of the baronial guaranteed shares shall not be entitled in respect thereof to any dividend in excess of the said prescribed rate, but the surplus net profits of the transferred undertaking in any half-year after payment of a dividend at the said prescribed rate on the baronial guaranteed shares, and subject to the rights of the baronies under the fifth section of the Act of 1883 shall belong to the railway company, and may be applied by them accordingly.

Order in Council giving powers to railway company.

**14.** Where the Railway and Canal Commission have approved of the agreement for transfer, the Lord Lieutenant in Council may, on the application of the railway company, make and settle an Order in Council authorising the railway company to do all or any of the following matters; (that is to say,)

1. To raise from time to time additional capital by the issue of new stock or shares other than the baronial guaranteed shares.
2. To borrow money on mortgage of the transferred undertaking, or of the company's other undertakings, or any of them, or on any combination of such securities.
3. To create and issue debenture stock.

All powers conferred upon the railway company by such order shall be exercised in conformity with such conditions and with and subject to such limitations and powers as may be prescribed by the order.

Such order shall only be made where the railway company establishes to the satisfaction of the Lord Lieutenant in Council that a copy of the proposed order has been submitted to the proprietors of the railway company, held specially for that purpose,

as if such order were a Bill promoted in Parliament by the railway company, and that all matters and things have been done and have happened, and all times have elapsed which if such order were a Bill so promoted as aforesaid, should have been done, and have happened, and elapsed in order to constitute compliance with the standing orders of Parliament applicable to Bills promoted by railway companies for the like purposes as those referred to in this section.

Application of money.

**15.** All money raised under any order of the Lord Lieutenant in Council made in pursuance of this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of the transferred undertaking only.

Power to the Lord Lieutenant to make rules.

**16.** It shall be lawful for the Lord Lieutenant in Council by order to make from time to time such general rules as may seem fit for the effectual execution of this Act, and also for fixing the amount of any fees, and the allowance, taxation, and payment of any costs, charges, and expenses to be taken, allowed, and paid under this Act, and for the remuneration of any auditor or other person employed in the execution of this Act, under the direction and authority of a grand jury, and from time to time to revoke or amend any such rules, but no such rules shall have any effect until the expiration of one month after the same shall have been published in the Dublin Gazette and laid before both Houses of Parliament.

Taking possession of land. 52 & 53 Vict. c. 66. 8 & 9 Vict. c. 18.

**17.** Where the Treasury in pursuance of the Light Railways (Ireland) Act, 1889, have agreed with the promoters of any light railway that the undertaking of the promoters shall be aided by a capital sum out of public money, the sections of the Lands Clauses Consolidation Act, 1845, with respect to the entry upon lands by the promoters of the undertaking shall apply to the land which the promoters are authorised to take, and the Treasury, on the request of the promoters shall cause to be paid into the Bank, out of such capital sum, any sum required to be deposited in the Bank for the purpose of those sections, and where the sum claimed, or if no sum is claimed, the total value of every estate and interest in the land does not exceed *one hundred pounds*, the amount to be deposited may be determined by two justices.

Interpretation.

**18.** In this Act, unless there is something inconsistent in the context—

The expression "the railway company" shall mean any railway company who shall have entered or may hereafter enter into an agreement with the promoters of any tramway or railway

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undertaking under the Tramways (Ireland) Acts which shall have been approved by any grand jury for the transfer of such undertaking to such railway company:

23 & 24 Vict. c. 152. 24 & 25 Vict. c. 102. 34 & 35 Vict. c. 114. 41 & 45 Vict. c. 17. 46 & 47 Vict. c. 43. 52 & 53 Vict. c. 66. 53 & 54 Vict. c. 52.

The expression "the Tramways (Ireland) Acts" means the Tramways (Ireland) Act, 1860, the Tramways (Ireland) Amendment Act, 1861, the Act of the session of the thirty-fourth and thirty-fifth years of the reign of Her present Majesty, chapter one hundred and fourteen, the Tramways (Ireland) Amendment Act, 1881, the Tramways and Public Companies (Ireland) Act, 1883, the Light Railways (Ireland) Act, 1889, and the Railways (Ireland) Act, 1890.

Short title.

**19.** This Act may be cited as the Transfer of Railways (Ireland) Act, 1890.

# Transfer of Railways (Ireland).

A

# BILL

To authorise the Transfer of the Powers of Promoters of Railway and Tramway Undertakings, under the Tramways (Ireland) Acts, to certain existing Railway Companies, and for other purposes.

(*Prepared and brought in by Mr. Arthur Balfour and Mr. Jackson.*)

*Ordered, by* The House of Commons, *to be Printed,* 27 *November* 1890.

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[*Price* 1½*d.*]

[Bill 113.]

# Trust Companies Bill.

## ARRANGEMENT OF CLAUSES.


Clause.

1. Title.
2. Definition of trust company.
3. Probate and letters of administration may be granted to trust company.
4. Applications to court to be made by a trust company as in the case of a natural person.
5. Evidence in support of application.
6. Provision for appointment where no express power.
7. Provision for appointment in other cases.
8. Trust company empowered to perform duties of trustee.
9. Vesting of trust property in trust company.
10. Trust company may be appointed receiver, &c.
11. Trust company may be appointed trustee in bankruptcy.
12. Trust company may be appointed attorney.
13. Trust companies to be allowed to open separate accounts at the Bank of England and elsewhere.
14. Property held by trust company and other persons as joint tenants.
15. Deposit in the High Court of Justice.
16. Power for Board of Trade to increase deposit.
17. Orders respecting deposit.
18. Manager or special officer to speak for and represent trust company.
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A

# B I L L

TO

**Enable Incorporated Companies to act as Executors, Administrators, and Trustees, and in other fiduciary capacities.** A.D. 1890.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows :

Title. **1.** This Act may be cited as the Trust Companies Act, 1891.

Definition of trust company. **2.** The provisions of this Act shall apply to every incorporated company which has been or may be established for the following objects, viz., to act as executor under any will, and as a trustee; and the expression "trust company" in this Act means a company which is incorporated, and whose objects, as defined by its memorandum of association, include the objects above mentioned. But save as in this Act provided nothing contained in this Act shall enable any company to undertake any business which is not included in the objects mentioned in its memorandum of association.

Probate and letters of administration may be granted to trust company. **3.** With respect to a trust company undertaking the office of executor or administrator be it enacted as follows :—

(1.) In any case where a trust company has been or shall be appointed sole executor or has been or shall be appointed executor jointly with any other person or persons and such person or persons shall renounce probate of the will, probate may, upon the application of the trust company, be granted to the trust company in its corporate capacity as nearly as circumstances will permit in the same manner, upon the same terms, and with the same results and consequences in all respects as if the trust company were a natural person :

(2.) In any case where a trust company has been or shall be appointed executor jointly with some other person or persons probate may be granted to the trust company jointly with

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such person or persons or jointly with such one or more of them as may be willing to accept probate, as nearly as may be upon the same application, in the same manner, upon the same terms, and with the same results in all respects as if the trust company were a natural person:

(3.) In any case where probate shall have been granted to a trust company jointly with some other person or persons, the trust company shall possess and may exercise the same powers and authorities as are possessed and may be exercised by one executor out of several natural persons to whom probate has been granted:

(4.) In any case where a testator dying after the *passing of this Act* shall have appointed no executor or no executor who is both capable and willing to act, letters of administration with the will annexed may, upon the application of any person beneficially interested under the will or of a trust company, be granted to the trust company in its own name as administrator; provided that the consent of such person or persons as the court shall prescribe shall be obtained:

(5.) Administration to the goods and effects of any person dying intestate after the *passing of this Act* may, upon the application of any of the next of kin of the intestate or of a trust company, be granted to the trust company in its own name as administrator; provided that the consent of such person or persons as the court shall prescribe shall be obtained.

Applications to court to be made by a trust company as in the case of a natural person.

**4.** Every such application for the grant of probate or administration as aforesaid shall be made to the same court and as nearly as may be in the same manner as is now lawful or customary in the case of similar applications by natural persons only.

Evidence in support of application.

**5.** The evidence to be required for the making of any such grant of probate or administration as aforesaid shall be wholly in the discretion of the court to which the application is made or upon any appeal in the discretion of the court having jurisdiction to entertain the appeal.

Provision for appointment where no express power.

**6.** Where a will or settlement (whether made before or after the passing of this Act) does not expressly appoint or authorise the appointment of a trust company as trustee, a trust company may be appointed trustee of any real or personal property, either alone or jointly with any other trustee or trustees:

(*a*) By any court having jurisdiction to appoint new trustees under the Trustee Acts on the application of the person or persons having power to appoint new trustees under the

will or settlement or of any person beneficially interested in the trust property, and such application may be made in like manner as an application for the appointment of new trustees is made under those Acts :

(*b*) By the person or persons having power to appoint new trustees under the will or settlement with the written consent of the person or persons for the time being entitled to the income of the trust property, and if any person so entitled is under any disability the High Court may authorise consent to be given on behalf of that person : Provided that any person becoming entitled to the income of the trust property or any part thereof on the determination of the interest therein of any person who has given consent as aforesaid may by notice in writing object to the continuance of the trust company as trustee, and thereupon the trust company shall concur in all necessary steps for the appointment of a new trustee or trustees in place of the company, and for the transfer of the trust property accordingly, but until such appointment and transfer are completed the trust company shall continue to act as trustee and be entitled to any remuneration to which the company would otherwise be entitled in that capacity.

Provision for appointment in other cases.

**7.** Upon any application to the court having jurisdiction to appoint trustees in any case not herein-before provided for, the court may, if satisfied that it is for the benefit of the trust estate, appoint a trust company to be trustee, either alone or jointly with any other trustee or trustees.

Trust company empowered to perform duties of trustee.

**8.** The trust company shall in case of such appointment as aforesaid be entitled and empowered to perform and discharge all the acts and duties of a trustee as fully and effectually as if the trust company were a natural person, and in any such case as aforesaid a trust company may be appointed sole trustee, and may act as sole trustee on the decease of the other trustee or all the other trustees, notwithstanding that more than one trustee may have been originally appointed, and any such appointment of a trust company as sole trustee shall be as effectual and shall as effectually discharge the former trustee or trustees as though two or more trustees had been appointed.

Vesting of trust property in trust company.

**9.** In any case where a trust company shall have been appointed to be a trustee of any property, whether solely or jointly with any other person or persons, and any conveyance, transfer, or other act or thing shall require to be executed or done in order to perfect

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the title of such trustee or trustees to the trust property, or to effectually vest the property in such trustee or trustees, all conveyances, transfers, and other acts and things shall be executed, made, done, permitted, and completed which may be necessary or expedient to perfect the title or vest the property as aforesaid.

Trust company may be appointed receiver, &c.

**10.** In any case where any court has power to appoint any person as receiver or manager of any property or business, or as committee of the estate of any lunatic, or as administrator pendente lite, such court may appoint a trust company as such receiver or manager, or committee, or administrator, either alone or jointly with any other person or persons.

Trust company may be appointed trustee in bankruptcy.

**11.** A trust company may be appointed trustee of the property of a bankrupt under the Bankruptcy Act, 1883, or any Bankruptcy Act for the time being in force.

Trust company may be appointed attorney.

**12.** A trust company may by deed be appointed attorney, either alone or jointly with any other attorney or attorneys, to do any lawful act or thing.

Trust companies to be allowed to open separate accounts at the Bank of England and elsewhere.

**13.** In order to avoid the mixing up of moneys belonging to different trusts, a trust company may require the several Banks of England and Ireland, and all other corporations, companies, or persons having the control of (and herein-after designated as "the custodian of") any register of stock, shares, debentures, or other securities, to open several accounts, distinguishing the account belonging to each trust with some letter, number, or other convenient earmark, which shall for all purposes form part of the title of such account in the books of the said bank, corporation, company, or persons, and the latter shall accordingly give all reasonable facilities for carrying out this enactment; provided, nevertheless, that the opening of any such account, distinguished as herein-before mentioned, shall not be a notice to the custodian of the register on which the same appears of any trust affecting the stock, shares, or securities so distinguished, and the receipt of the trust company shall be a sufficient discharge for all dividends and other payments from time to time made in respect of any such security, notwithstanding any trust to which the same may be subject, and the custodian of the register shall not be bound to see to the application of the money paid upon any such receipt.

Property held by trust company and other persons as joint tenants.

**14.**—(1.) Any real or personal estate or thing in action which is conveyed, devised, or bequeathed to a trust company, and any persons or person jointly, without express words directing a tenancy in common, or which in any other mode becomes vested in a trust

company and any persons or person jointly without any express direction in writing that a tenancy in common is to be created, shall be deemed to be and shall be vested in the trust company and such persons or person as joint tenants. A.D. 1890.

(2.) Any share, stock, or security transferable in the books or registers of the Bank of England, or of any other joint stock company, and which is transferred in such books or registers into the joint names of a trust company and of any persons or person, shall be deemed to be and shall be vested in the trust company, and such persons or person as joint tenants.

(3.) On the death of any one of several persons, who together with a trust company are joint tenants of any real or personal property, including any share, stock, or security transferable as aforesaid, the property shall devolve upon and become vested in the company and the survivors of those persons solely as joint tenants, and on the death of a single person who is such joint tenant the property shall devolve upon and become vested in the trust company solely, discharged in each case from any right or claim of the real or personal representatives of any joint tenant who is dead.

(4.) The Bank of England and every other joint stock company shall be bound, and are by this Act required, to permit all stock, shares, and securities transferable in books or registers kept by them to be transferred into the joint names of a trust company, and of any persons or person, upon the like terms, and subject to the like conditions and restrictions, and generally in like manner, as if the name of the trust company had been the name of a person.

Deposit in the High Court of Justice.

**15.** The provisions of sections three to fourteen of this Act shall not apply to any trust company until such company shall have a subscribed capital of at least *one hundred thousand pounds*, of which at least *fifty thousand pounds* shall be paid up and deposited by the company in the High Court. The sum so deposited shall by order of the said court be invested in some or one of the securities usually accepted by the court for the investment of funds placed from time to time under its administration, the company electing the particular security and receiving the income therefrom. No part of the fund itself shall be returned to the company except by order of the court in the event of the company being wound up or in the event of their ceasing to carry on private trust business, but in the latter case only on such terms and conditions as the court may see fit to impose.

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Power for Board of Trade to increase deposit.

**16.** The Board of Trade, on the application of any person appearing to the Board to be interested in any real or personal property held by the company as trustee, executor, administrator, or in any other fiduciary capacity mentioned in this Act, may at any time, and from time to time, direct any trust company to increase the amount of the deposit to such sum as the Board of Trade require, or to maintain or restore the amount of the deposit up to its full amount, and thereupon the company shall pay into court such further sums as may be required to comply with the order, and such sums shall be invested in the same manner as the said original deposit. All such further sums paid into court by any trust company, and the income thereof, shall be applied in the same manner as the original deposit paid in by the same company. If any company shall neglect for six months to comply with any such direction, such company shall thenceforward become disabled from undertaking any new business under the provisions of this Act until it shall comply with such direction and such neglect shall be a reason on account of which the company may be wound up.

Orders respecting deposit.

**17.** Subject to rules of court, orders with respect to the payment of the said deposit into and out of court, and the investment and return thereof, and the payment of the dividends and interest thereof, may be from time to time made, altered, and revoked by the like authority and in the like manner as orders with respect to the payment into and out of court and the investment of other money and the application of the dividends thereof.

Manager or special officer to speak for and represent trust company.

**18.** Every oath, affidavit, or other act (including personal attendance in a court of justice or elsewhere) required to be made or done upon an application by a trust company for the grant of probate or letters of administration, or upon an application for the appointment of a trust company to fulfil any other office or capacity which a trust company is by this Act authorised or enabled to fulfil, or required to be made or done by a trust company when acting as executor or administrator, or in any such office or capacity as aforesaid, may be made or done on behalf of the trust company by the manager or secretary thereof, or by any officer thereof specially appointed for the purpose by the directors or other governing body having the general management of the trust company's affairs.

No security need be required from trust company.

**19.** When administration is granted to a trust company, or a trust company is appointed receiver, manager, committee, or administrator pendente lite, the company shall not be required,

unless the court making the grant or appointment shall otherwise direct, to find any sureties or give any security beyond the bond of the company; but the company alone shall be required to give such bond (if any) as would be required from an individual under the same circumstances. And when a trust company is appointed trustee in bankruptcy it shall give such bond as would be required from an individual under the same circumstances, but shall not be required to give any other security, unless the Board of Trade shall otherwise direct.

Powers and responsibilities of trust company.

**20.** A trust company filling the office of executor, administrator, trustee, receiver, manager, committee, or attorney under the provisions of this Act, shall have all the powers, rights, duties, and liabilities, and be subject to the same control and the same process of all courts of justice, which an individual would have and be subject to under the same circumstances, and shall be liable to be removed from such office in the same cases and for the same causes in and for which an individual might be removed. All the assets of the company, including the deposit required by this Act, shall be liable for the due discharge by the company of the duties of such office; and the deposit shall be liable to make good any loss arising from any breach of such duties in priority to its liability to the ordinary creditors of the company.

Powers of trust company to be exercised by directors or managers.

**21.** All powers and duties attaching to a trust company may be exercised and performed by the directors or managers who exercise the functions of the company according to the course of business provided by its constitution.

Maximum authorised charges to be fixed.

**22.** The articles of association of every trust company incorporated after the *passing of this Act* shall contain, and every trust company incorporated before the *passing of this Act* shall, before it is to be deemed entitled to the benefit of this Act, add in manner provided by law to the articles of association of such company, a statement of the charges which the company may make (herein-after called its "authorised charges") for doing any of the things which the company is empowered by this Act to do. The authorised charges of a trust company may be altered from time to time by alterations duly made in its articles of association; but the altered scale of charges shall not apply to any business undertaken by the company before the alteration, or to any will made before the alteration by which the company shall be appointed executor or trustee, provided that no charges, whether made by original articles of association or by any addition to or alteration of the articles of association, shall become authorised charges until they have been approved by the Board of Trade.

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Remuneration of company.

**23.** A trust company acting as executor, administrator, trustee, receiver, manager, committee, or attorney shall be entitled to receive and to retain out of the property received or administered by it a remuneration (not exceeding the amount of its authorised charges) according to the scale from time to time fixed by the directors of the company, and in force at the time when the company undertakes the business, or such remuneration as may be fixed by the creator of the trust or by agreement with the persons absolutely entitled to the trust estate. It shall also be entitled (subject to any agreement to the contrary) to receive and to retain out of the said property all such costs, charges, and expenses, properly incurred, as an individual would be entitled to receive or retain under the same circumstances.

Employment of solicitor and banks.

**24.**—(1.) Where a testator, settlor, or other creator of any trust under which a trust company is appointed, and acts as executor or trustee, directs or authorises the employment of any particular solicitor or bank, or where either the co-trustees of a trust company or the persons appearing to such company to be for the time being entitled to the income of the trust, or, if they are infants, their guardians require the employment of any particular solicitor or bank, that solicitor or bank shall be employed as the solicitor or banker to the trust, unless removed for good cause by the High Court upon the application of the company or of any person appearing to the Court to be interested in the trust.

(2.) Where it appears to the company that any solicitor or bank has been ordinarily employed in matters connected with any trust, or with the family matters of persons concerned in the trust, they may, on the application or with the assent of any of such persons as appear to them to be principally interested in the income of the trust for the time being, employ such solicitor or bank as the solicitor or banker to the trust.

(3.) Where a solicitor or bank is employed in pursuance of this section the company shall not be liable to meet any liability arising from any default of such solicitor or bank, and the company shall not be deemed to have had notice of any matter merely by reason of such solicitor or bank having had notice thereof.

Audit.

**25.** Every trust company shall, once at least in every year before the *first day of March*, submit its accounts for audit to two or more auditors nominated by the company, who shall have access to all the books and accounts of the company, and shall examine the general statement of the receipts and expenditure, funds and effects of the company, and of all property held or administered by the company in any fiduciary capacity, and shall verify the same with

the accounts and vouchers relating thereto, and shall either sign the same as found by them to be correct, duly vouched, and in accordance with law, or specially report to the company in what respect they find it incorrect, unvouched, or not in accordance with law. A.D. 1890.

**26.** Every trust company shall, once in every year before the *first day of March*, send to the registrar of joint stock companies a general statement of its receipts and expenditure, funds and effects, and also a general statement of the property held or administered by the company in any fiduciary capacity, which statement shall be made out to the *thirty-first day of December* then last inclusively, and shall also send therewith a copy of the last auditor's report. Such statement shall be signed by the chairman or two directors and by the manager or secretary of the company. Annual returns.

**27.** The Board of Trade may appoint one or more competent inspectors to examine into the affairs of any company under this Act, upon the application of any persons interested in the property held by a trust company as trustee, executor, administrator, or in any other fiduciary capacity mentioned in this Act, and to report thereon, in such manner as the Board may direct. Examination of affairs of company by inspectors.

**28.** The application shall be supported by such evidence as the Board of Trade may require for the purpose of showing that the applicants have good reason for requiring such investigation to be made, and that they are not actuated by malicious motives in instituting the same; the Board of Trade may also require the applicants to give security for payment of the costs of the inquiry before appointing any inspector or inspectors. Application for inspection to be supported by evidence.

**29.** It shall be the duty of all officers and agents of the company to produce for the examination of the inspectors all books and documents in their custody or power. Any inspector may examine upon oath the officers and agents of the company in relation to its business, and may administer such oath accordingly. If any officer or agent refuses to produce any book or document hereby directed to be produced, or to answer any question relating to the affairs of the company, he shall incur a penalty not exceeding five pounds in respect of each offence. Inspection of books.

**30.** Upon the conclusion of the examination the inspectors shall report their opinion to the Board of Trade; such report shall be written or printed, as the Board of Trade directs. A copy shall be forwarded by the Board of Trade to the registered office of the company, and a further copy shall, at the request of the members Result of examination, how dealt with.

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upon whose application the inspection was made, be delivered to them or to any one or more of them. All expenses of and incidental to any such examination as aforesaid shall be defrayed by the members upon whose application the inspectors were appointed, unless the Board of Trade shall direct the same to be paid out of the assets of the company, which it is hereby authorised to do.

Account of trust company's dealings with property.

**31.** Any person beneficially interested in any property held or administered by a trust company as executor, administrator, or trustee may apply to the High Court, for an account of the company's dealings with the same; and the Court may order an account to be rendered by the company, and may order the account to be taken, or may dismiss the application, and in either case may make such order as to costs as may seem just.

Unclaimed funds.

**32.** All moneys or investments which form part of any estate of which a trust company shall at any time be executor, administrator, or trustee, and which moneys shall remain unclaimed by the person entitled thereto for a period of *six years* after the time when the same shall have become payable or transferable to such person (except when payment or transfer has been restrained by the injunction of some court), shall within three months from the expiration of such six years be paid or transferred by the company into court to the credit of an account to be called "unclaimed trust funds," distinguishing the particular estates in respect of which such moneys or investments shall have been paid or transferred, and by such payment or transfer the company paying or transferring the same shall be discharged therefrom and from all claims and proceedings in respect thereof. The moneys so paid in shall be invested in the purchase of Government securities, to be placed to the credit of the said account, distinguishing in the ledger the particular estate in respect of which such moneys shall have been invested; and the interest of the securities or investments shall be carried to the credit of the same account; and the same shall be held subject to the orders of the court in relation thereto. Every trust company shall, on the *thirty-first day of March* in each year, deliver to the Paymaster General a statement of all such unclaimed moneys which during the year ending on the preceding *thirty-first day of December* shall have been in its hands, distinguishing the several estates in respect of which the same have been received. Such statement shall be signed by the chairman or two directors and by the manager or secretary of the company.

Order of court as to unclaimed funds.

**33.** Any person claiming to be entitled to any moneys or securities forming part of the said "unclaimed trust funds," may

apply to the High Court for payment thereof, or of the income thereof, and upon such application the court may make such order as may seem just.

Rules as to exercise of jurisdiction.

**34.** All jurisdiction vested by this Act in the High Court shall be exercised, and applications to the court under this Act shall be made, in such manner as may be directed by rules of court.

Penalty for non-compliance with Act.

**35.** Every trust company which makes default in complying with the requirements of sections twenty-six, twenty-seven, or twenty-nine of this Act, shall be liable to a penalty not exceeding fifty pounds for every day during which the default continues.

Penalty for false statement.

**36.** If any statement required by sections twenty-seven or twenty-nine is false in any particular to the knowledge of any person who signs it, such person shall be liable, on conviction thereof on indictment, to fine and imprisonment, or, on summary conviction thereof, to a penalty not exceeding *fifty pounds.*

Recovery of penalties. 25 & 26 Vict. c. 89.

**37.** Every penalty imposed by this Act shall be recovered and applied in the same manner as penalties imposed by the Companies Act, 1862, are recoverable and applicable.

Trust company not to be wound up voluntarily.

**38.** So long as any property, of which a trust company is executor, administrator, trustee, receiver, manager, or committee, shall remain in whole or in part unadministered, such company shall not be wound up except compulsorily or under the supervision of the court.

Interpretation.

**39.** In this Act "will" includes codicil; and "administration" and "letters of administration" include all letters of administration of the effects of deceased persons, whether with or without the will annexed, and whether granted for general, special, or limited purposes; and "administrator" has a correspondingly wide meaning, and "the Trustee Acts" means the Trustee Act, 1850, and the Acts amending the same.

"Court" includes a judge of the court when exercising the jurisdiction of the court.

"High Court" means Chancery Division of High Court of Justice.

Application to Ireland.

**40.** In the application of this Act to Ireland "Paymaster General" shall mean the Accountant General.

Extent of Act.

**41.** This Act shall not apply to Scotland.

# Trust Companies.

A

# B I L L

To enable Incorporated Companies to act as Executors, Administrators, and Trustees, and in other fiduciary capacities.

(*Prepared and brought in by Sir Horace Davey, Mr. Osborne Morgan, Colonel Makins, and Mr. Francis Maclean.*)

*Ordered, by* The House of Commons, *to be Printed*, 27 *November* 1890.

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[Bill 123.]

# Trustee Bill. [H.L.]

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A

# B I L L

INTITULED

An Act to consolidate Enactments relating to Trustees. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

## PART I.

### Investments.

**1.** It shall be lawful for a trustee, unless expressly forbidden by the instrument (if any) creating the trust, to invest any trust funds in his hands, whether at the time in a state of investment or not, in manner following, that is to say:— Authorised investments. [52 & 53 Vict. c. 32. s. 3.]

(*a.*) In any of the parliamentary stocks or public funds or Government securities of the United Kingdom:

(*b.*) On real or heritable securities in Great Britain or Ireland:

(*c.*) In the stock of the Bank of England or the Bank of Ireland:

(*d.*) In India Three and a half per cent. stock and India Three per cent. stock, or in any other capital stock which may at any time hereafter be issued by the Secretary of State in Council of India under the authority of Act of Parliament, and charged on the revenues of India:

(*e.*) In any securities the interest of which is or may hereafter be guaranteed by Parliament:

(*f.*) In consolidated stock created by the Metropolitan Board of Works, or which has been or may at any time hereafter be created by the London County Council, or in debenture stock created by the Receiver for the Metropolitan Police District:

(*g.*) In the debenture or rentcharge, or guaranteed or preference stock of any railway company in Great Britain or Ireland incorporated by special Act of Parliament, and having during each of the ten years last past before the date of investment paid a dividend at the rate of not less than three per centum per annum on its ordinary stock:

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(*h.*) In the stock of any railway or canal company in Great Britain or Ireland whose undertaking is leased in perpetuity or for a term of not less than two hundred years at a fixed rental to any such railway company as is mentioned in sub-section (*g.*), either alone or jointly with any other railway company:

(*i.*) In the debenture stock of any railway company in India the interest on which is paid or guaranteed by the Secretary of State in Council of India:

(*j.*) In the "B" annuities of the Eastern Bengal, the East Indian, and the Scinde Punjaub and Delhi Railways, and any like annuities which may at any time hereafter be created on the purchase of any other railway by the Secretary of State in Council of India, and charged on the revenues of India, and which may be authorised by Act of Parliament to be accepted by trustees in lieu of any stock held by them in the purchased railway:

(*k.*) In the stock of any railway company in India upon which a fixed or minimum dividend in sterling is paid or guaranteed, or upon the capital of which interest is guaranteed, by the Secretary of State in Council of India:

(*l.*) In the debenture or guaranteed or preference stock of any company in Great Britain or Ireland, established for the supply of water for profit, and incorporated by special Act of Parliament or by Royal Charter, and having during each of the ten years last past before the date of investment paid a dividend of not less than five pounds per centum on its ordinary stock:

(*m.*) In nominal or inscribed stock issued, or to be issued, by the corporation of any municipal borough having, according to the returns of the last census prior to the date of investment, a population exceeding fifty thousand, or by any county council, under the authority of any Act of Parliament or Provisional Order:

(*n.*) In nominal or inscribed stock issued or to be issued by any commissioners incorporated by Act of Parliament for the purpose of supplying water, and having a compulsory power of levying rates over an area having, according to the returns of the last census prior to the date of investment, a population exceeding fifty thousand, provided that during each of the ten years last past before the date of investment the rates levied by such commissioners shall not have exceeded eighty per centum of the amount authorised by law to be levied:

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(*o.*) In any of the stocks, funds, or securities for the time being authorised for the investment of cash under the control or subject to the order of the High Court, [52 & 53 Vict. c. 32. s. 9.]

and also from time to time to vary any such investment.

Purchase at a premium of redeemable stocks. [52 & 53 Vict. c. 32. s. 4.]

**2.**—(1.) It shall be lawful for a trustee under the powers of this Act to invest in any of the securities mentioned or referred to in section one of this Act, notwithstanding that the same may be redeemable, and that the price exceeds the redemption value.

(2.) Provided that it shall not be lawful for a trustee under the powers of this Act to purchase at a price exceeding its redemption value any stock mentioned or referred to in sub-sections (*g.*), (*i.*), (*k.*), (*l.*), and (*m.*)of section one, which is liable to be redeemed within fifteen years of the date of purchase at par or at some other fixed rate, or to purchase any such stock as is mentioned or referred to in the sub-sections aforesaid, which is liable to be redeemed at par or at some other fixed rate, at a price exceeding fifteen per centum above par or such other fixed rate.

(3.) It shall be lawful for a trustee to retain until redemption any redeemable stock, fund, or security which may have been purchased in accordance with the powers of this Act.

Discretion of trustees. [52 & 53 Vict. c. 32. s. 5.]

**3.** Every power conferred by the preceding sections shall be exercised according to the discretion of the trustee, but subject to any consent required by the instrument, if any, creating the trust with respect to the investment of the trust funds.

Application of preceding sections. [52 & 53 Vict. c. 32. s. 6.]

**4.** The preceding sections of this Act shall apply as well to trusts created before as to trusts created after the passing of this Act, and the powers thereby conferred shall be in addition to the powers conferred by the instrument, if any, creating the trust.

Enlargement of express powers of investment.

**5.**—(1.) Trustees having power to invest in real securities, unless expressly forbidden by the instrument creating the trust, may invest and shall be deemed to have always had power to invest—

(*a*) on mortgage of property held for an unexpired term of not less than two hundred years, and not subject to a reservation of rent greater than a shilling a year, or to any right of redemption or to any condition for re-entry, except for non-payment of rent; and [51 & 52 Vict. c. 59. ss. 9 12.]

(*b*) on any charge, or upon mortgage of any charge, made under the Improvement of Land Act, 1864. [27 & 28 Vict. c. 114. s. 60.]

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[34 & 35 Vict. c. 27. ss. 1, 2.]

(2.) Trustees having power to invest in the mortgages or bonds of any railway company or of any other description of company shall, unless the contrary is expressed in the instrument creating the power, have the like power of investing in the debenture stock of a railway company or such other company as aforesaid.

[38 & 39 Vict. c. 83. s. 27.]

(3.) Trustees having power to invest money in the debentures or debenture stock of any railway or other company shall, unless the contrary is expressed in the instrument authorising the investment, have the like power of investing in any nominal debentures or nominal debenture stock issued under the Local Loans Act, 1875.

38 & 39 Vict. c 83.

[43 & 44 Vict. c. 8. s. 7.]

(4.) Trustees having power to invest money in securities in the Isle of Man, or in securities of the government of a colony, shall, unless the contrary is expressed in the instrument authorising the investment, have the like power of investing in any securities of the Government of the Isle of Man, under the Isle of Man Loans Act, 1880.

43 & 44 Vict. c. 8.

[28 & 29 Vict. c. 78. s. 40.]

(5.) Trustees having a general power to invest trust moneys in or upon the security of shares, stock, mortgages, bonds, or debentures of companies incorporated by or acting under the authority of an Act of Parliament, may invest on the security of mortgage debentures duly issued under and in accordance with the provisions of the Mortgage Debenture Act, 1865.

28 & 29 Vict. c. 78.

Power to invest in land, &c., notwithstanding drainage, &c. charges.

[9 & 10 Vict. c. 101. s. 37.] 27 & 28 Vict. c. 114. [s. 61].

**6.** Trustees having power to invest in the purchase of land or on mortgage of land may invest in the purchase, or on mortgage of any land, notwithstanding the same is charged with a rent under the powers of the Public Money Drainage Acts, or by an absolute order made under the Improvement of Land Act, 1864, unless the terms of the trust expressly provide that the land to be purchased or taken in mortgage shall not be subject to any such prior charge.

Trustees not to convert inscribed stock into certificates to bearer.

26 & 27 Vict. c. 73. [s. 4.] 33 & 34 Vict. c. 71. [s. 29.] 38 & 39 Vict. c. 83. [s. 21.] 40 & 41 Vict. c. 59. [s. 12.]

**7.**—(1.) No trustee, unless authorised by the terms of his trust, shall apply for or hold any certificate to bearer issued under the authority of any of the following Acts; that is to say,—

(*a.*) The India Stock Certificate Act, 1863;

(*b.*) The National Debt Act, 1870;

(*c.*) The Local Loans Act, 1875;

(*d.*) The Colonial Stock Act, 1877.

(2.) Nothing in this section shall impose on the Bank or on any person authorised to issue any such certificates any obligation to inquire whether a person applying for such a certificate is or is not a trustee, or subject them to any liability in the event of their granting any such certificate to a trustee, nor invalidate any such certificate if granted.

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Loans and investments by trustees not chargeable as breaches of trust. [51 & 52 Vict. c. 59. s. 4.]

**8.**—(1.) No trustee lending money upon the security of any property on which he can lawfully lend shall be chargeable with breach of trust by reason only of the proportion borne by the amount of the loan to the value of the property at the time when the loan was made, provided that it shall appear to the court that in making the loan the trustee was acting upon a report as to the value of the property made by a person whom he reasonably believed to be an able practical surveyor or valuer instructed and employed independently of any owner of the property, whether such surveyor or valuer carried on business in the locality where the property is situate or elsewhere, and that the amount of the loan does not exceed two equal third parts of the value of the property as stated in the report, and that the loan was made under the advice of the surveyor or valuer expressed in the report.

(2.) No trustee lending money upon the security of any leasehold property shall be chargeable with breach of trust only upon the ground that in making such loan he dispensed either wholly or partly with the production or investigation of the lessor's title.

(3.) No trustee shall be chargeable with breach of trust only upon the ground that in effecting the purchase of or in lending money upon the security of any property he has accepted a shorter title than the title which a purchaser is, in the absence of a special contract, entitled to require, if in the opinion of the court the title accepted be such as a person acting with prudence and caution would have accepted.

(4.) This section shall apply to transfers of existing securities as well as to new securities, and to investments made as well before as after the passing of this Act, except where an action or other proceeding was pending with reference thereto on the twenty-fourth day of December one thousand eight hundred and eighty-eight.

Liability for loss by reason of improper investments. [51 & 52 Vict. c. 59. s. 5.]

**9.**—(1.) Where a trustee improperly advances trust money on a mortgage security which would at the time of the investment be a proper investment in all respects for a smaller sum than is actually advanced thereon, the security shall be deemed an authorised investment for the smaller sum, and the trustee shall only be liable to make good the sum advanced in excess thereof with interest.

(2.) This section shall apply to investments made as well before as after the passing of this Act, except where an action or other proceeding was pending with reference thereto on the twenty-fourth day of December one thousand eight hundred and eighty-eight.

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## PART II.

### Various Powers and Duties of Trustees.

*Appointment of New Trustees.*

Power of appointing new trustees. [44 & 45 Vict. c. 31. s. 31. 45 & 46 Vict. c. 39. s 5.]

**10.**—(1.) Where a trustee, either original or substituted, and whether appointed by a court or otherwise, is dead, or remains out of the United Kingdom for more than twelve months, or desires to be discharged from all or any of the trusts or powers reposed in or conferred on him, or refuses or is unfit to act therein, or is incapable of acting therein, then the person or persons nominated for the purpose of appointing new trustees by the instrument, if any, creating the trust, or if there is no such person, or no such person able and willing to act, then the surviving or continuing trustees or trustee for the time being, or the personal representatives of the last surviving or continuing trustee, may, by writing, appoint another person or other persons to be a trustee or trustees in the place of the trustee dead, remaining out of the United Kingdom, desiring to be discharged, refusing, or being unfit or being incapable, as aforesaid.

(2.) On an appointment of a new trustee—

(*a*) the number of trustees may be increased; and

(*b*) a separate set of trustees may be appointed for any part of the trust property held on trusts distinct from those relating to any other part or parts of the trust property; or, if only one trustee was originally appointed, then one separate trustee may be so appointed for the first-mentioned part; and

(*c*) it shall not be obligatory to appoint more than one new trustee where only one trustee was originally appointed, or to fill up the original number of trustees, where more than two trustees were originally appointed; but, except where only one trustee was originally appointed, a trustee shall not be discharged under this section from his trust unless there will be at least two trustees to perform the trust; and

(*d*) any assurance or thing requisite for vesting the trust property, or any part thereof, jointly in the persons who are the trustees, shall be executed or done.

(3.) Every new trustee so appointed, as well before as after all the trust property becomes by law, or by assurance, or otherwise, vested in him, shall have the same powers, authorities, and discretions, and may in all respects act, as if he had been originally appointed a trustee by the instrument, if any, creating the trust.

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(4.) The provisions of this section relative to a trustee who is dead include the case of a person nominated trustee in a will but dying before the testator, and those relative to a continuing trustee include a refusing or retiring trustee, if willing to act in the execution of the provisions of this section.

(5.) This section applies only if and as far as a contrary intention is not expressed in the instrument, if any, creating the trust; and shall have effect subject to the terms of that instrument and to any provisions therein contained.

(6.) This section applies to trusts created either before or after the commencement of this Act.

Retirement of trustee. [44&45Vict. c. 41. s. 32.]

**11.**—(1.) Where there are more than two trustees, if one of them by deed declares that he is desirous of being discharged from the trust, and if his co-trustees and such other person, if any, as is empowered to appoint trustees, by deed consent to the discharge of the trustee, and to the vesting in the co-trustees alone of the trust property, then the trustee desirous of being discharged shall be deemed to have retired from the trust, and shall, by the deed, be discharged therefrom under this Act, without any new trustee being appointed in his place.

(2.) Any assurance or thing requisite for vesting the trust property in the continuing trustees alone shall be executed or done.

(3.) This section applies only if and as far as a contrary intention is not expressed in the instrument, if any, creating the trust, and shall have effect subject to the terms of that instrument and to any provisions therein contained.

(4.) This section applies to trusts created either before or after the commencement of this Act.

Vesting of trust property in new or continuing trustees. [44&45Vict. c. 41. s. 34.]

**12.**—(1.) Where a deed by which a new trustee is appointed to perform any trust contains a declaration by the appointor to the effect that any estate or interest in any land subject to the trust, or in any chattel so subject, or the right to recover and receive any debt or other thing in action so subject, shall vest in the persons who by virtue of the deed become and are the trustees for performing the trust, that declaration shall, without any conveyance or assignment, operate to vest in those persons, as joint tenants, and for the purposes of the trust, that estate, interest, or right.

(2.) Where a deed by which a retiring trustee is discharged under this Act contains such a declaration as is in this section mentioned by the retiring and continuing trustees, and by the other person, if any, empowered to appoint trustees, that declaration shall, without any conveyance or assignment, operate to vest in the continuing

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trustees alone, as joint tenants, and for the purposes of the trust, the estate, interest, or right to which the declaration relates.

(3.) This section does not extend to any legal estate or interest in copyhold or customary land, or to land conveyed by way of mortgage for securing money subject to the trust, or to any such share, stock, annuity, or property as is only transferable in books kept by a company or other body, or in manner directed by or under Act of Parliament.

(4.) For purposes of registration of the deed in any registry, the person or persons making the declaration shall be deemed the conveying party or parties, and the conveyance shall be deemed to be made by him or them under a power conferred by this Act.

(5.) This section applies only to deeds executed after the thirty-first of December one thousand eight hundred and eighty-one.

*Purchase and Sale.*

Power of trustees for sale to sell by auction, &c. [44 & 45 Vict. c. 41. s. 35.]

**13.**—(1.) Where a trust for sale or a power of sale of property is vested in trustees, they may sell or concur with any other person in selling all or any part of the property, either subject to prior charges or not, and either together or in lots, by public auction or by private contract, subject to any such conditions respecting title or evidence of title or other matter as the trustees think fit, with power to vary any contract for sale, and to buy in at any auction, or to rescind any contract for sale and to re-sell, without being answerable for any loss.

(2.) This section applies only if and as far as a contrary intention is not expressed in the instrument creating the trust or power, and shall have effect subject to the terms of that instrument and to the provisions therein contained.

(3.) This section applies only to a trust or power created by an instrument coming into operation after the thirty-first of December one thousand eight hundred and eighty-one.

Depreciatory conditions on sales by trustees. [51 & 52 Vict. c. 59. s. 3.]

**14.**—(1.) No sale made by a trustee shall be impeached by any beneficiary upon the ground that any of the conditions subject to which the sale was made may have been unnecessarily depreciatory, unless it also appears that the consideration for the sale was thereby rendered inadequate.

(2.) No sale made by a trustee shall, after the execution of the conveyance, be impeached as against the purchaser upon the ground that any of the conditions subject to which the sale was made may have been unnecessarily depreciatory, unless it appears that the purchaser was acting in collusion with the trustee at the time when the contract for sale was made.

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(3.) No purchaser, upon any sale made by a trustee, shall be at liberty to make any objection against the title upon the ground aforesaid.

(4.) This section applies only to sales made after the twenty-fourth day of December one thousand eight hundred and eighty-eight.

Sale by trustees under 37 & 38 Vict. c. 78.

**15.** Trustees who are either vendors or purchasers may sell or buy without excluding the application of section two of the Vendor and Purchaser Act, 1874.

Married woman as bare trustee may convey. [37 & 38 Vict. c. 78. s. 6.]

**16.** When any freehold or copyhold hereditaments are vested in a married woman as a bare trustee she may convey or surrender the same as if she were a feme sole.

*Various Powers and Liabilities.*

Receipt of money by a banker or solicitor as agent. [51 & 52 Vict. c. 59. s. 2.] 44 & 45 Vict. c. 41. s. 56.

**17.**—(1.) It shall be lawful for a trustee to appoint a solicitor to be his agent to receive and give a discharge for any money or valuable consideration or property receivable by the trustee under the trust, by permitting the solicitor to have the custody of, and to produce a deed containing any such receipt as is referred to in section fifty-six of the Conveyancing and Law of Property Act, 1881; and no trustee shall be chargeable with breach of trust by reason only of his having made or concurred in making any such appointment; and the producing of any such deed by the solicitor shall have the same validity and effect under the said section as if the person appointing the solicitor had not been a trustee.

(2.) It shall be lawful for a trustee to appoint a banker or solicitor to be his agent to receive and give a discharge for any money payable to such trustee under or by virtue of a policy of assurance, by permitting the banker or solicitor to have the custody of and to produce the policy of assurance with a receipt signed by the trustee, and no trustee shall be chargeable with a breach of trust by reason only of his having made or concurred in making any such appointment.

(3.) Nothing in this section shall exempt a trustee from any liability which he would have incurred if this Act had not been passed, in case he permits any such money, valuable consideration, or property to remain in the hands or under the control of the banker or solicitor for a period longer than is reasonably necessary to enable the banker or solicitor (as the case may be) to pay or transfer the same to the trustee.

(4.) This section shall apply only where the money or valuable consideration or property is received after the twenty-fourth day of December one thousand eight hundred and eighty-eight.

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[51&52 Vict. c. 59. s. 12 (2).]

(5.) Nothing in this section shall authorise a trustee to do anything which he is in express terms forbidden to do, or to omit anything which he is in express terms directed to do, by the instrument creating the trust.

Trustee may insure building. [51& 52 Vict. c. 59. s. 7.]

**18.**—(1.) It shall be lawful for, but not obligatory upon, a trustee to insure against loss or damage by fire any building or other insurable property to any amount (including the amount of any insurance already on foot) not exceeding three equal fourth parts of the full value of such building or property, and to pay the premiums for such insurance out of the income thereof or out of the income of any other property subject to the same trusts, without obtaining the consent of any person who may be entitled wholly or partly to such income.

(2.) This section shall not apply to any building or property which a trustee is bound forthwith to convey absolutely to any beneficiary upon being requested to do so.

[51&52 Vict. c. 59. s. 12.]

(3.) This section shall apply to trusts created either before or after the commencement of this Act, but nothing in this section shall authorise any trustee to do anything which he is in express terms forbidden to do, or to omit to do anything which he is in express terms directed to do, by the instrument creating the trust.

Trustees of renewable leaseholds may renew and raise money for the purpose. [51&52 Vict. c. 59. ss. 10, 11.]

**19.**—(1.) A trustee of any leaseholds for lives or years which are renewable from time to time, either under any covenant or contract, or by custom or usual practice, may, if he thinks fit, and shall, if thereto required by any person having any beneficial interest, present or future, or contingent, in the leaseholds, use his best endeavours to obtain from time to time a renewed lease of the same hereditaments on the accustomed and reasonable terms, and for that purpose may from time to time make or concur in making a surrender of the lease for the time being subsisting, and do all such other acts as are requisite: Provided that, where by the terms of the settlement or will the person in possession for his life or other limited interest is entitled to enjoy the same without any obligation to renew or to contribute to the expense of renewal, this section shall not apply unless the consent in writing of that person is obtained to the renewal on the part of the trustee.

(2.) If money is required to pay for the renewal, the trustee effecting the renewal may pay the same out of any money then in his hands in trust for the persons beneficially interested in the lands to be comprised in the renewed lease, and if he has not in his hands sufficient money for the purpose, he may raise the money required by mortgage of the hereditaments to be comprised in the renewed

lease, or of any other hereditaments for the time being subject to the uses or trusts to which those hereditaments are subject, and no person advancing money upon a mortgage purporting to be under this power shall be bound to see that the money is wanted, or that no more is raised than is wanted for the purpose. A.D. 1891.

(3.) This section shall apply to trusts created either before or after the commencement of this Act, but nothing in this section shall authorise any trustee to do anything which he is in express terms forbidden to do, or to omit to do anything which he is in express terms directed to do, by the instrument creating the trust. [51 & 52 Vict. c. 59. s. 12.]

Trustees receipts. [44 & 45 Vict. c. 41. s. 36.]

**20.**—(1.) The receipt in writing of any trustee for any money, securities, or other personal property or effects payable, transferable, or deliverable to him under any trust or power shall be a sufficient discharge for the same, and shall effectually exonerate the person paying, transferring, or delivering the same from seeing to the application or being answerable for any loss or misapplication thereof.

(2.) This section applies to trusts created either before or after the commencement of this Act.

Power for executors and trustees to compound, &c. [44 & 45 Vict. c. 41. s. 37.]

**21.**—(1.) An executor or administrator may pay or allow any debt or claim on any evidence that he thinks sufficient.

(2.) An executor or administrator, or two or more trustees acting together, or a sole acting trustee where by the instrument, if any, creating the trust a sole trustee is authorised to execute the trusts and powers thereof, may, if and as he or they may think fit, accept any composition or any security, real or personal, for any debt or for any property, real or personal, claimed, and may allow any time for payment for any debt, and may compromise, compound, abandon, submit to arbitration, or otherwise settle any debt, account, claim, or thing whatever relating to the testator's or intestate's estate or to the trust, and for any of those purposes may enter into, give, execute, and do such agreements, instruments of composition or arrangement, releases, and other things as to him or them seem expedient, without being responsible for any loss occasioned by any act or thing so done by him or them in good faith.

(3.) As regards trustees this section applies only if and as far as a contrary intention is not expressed in the instrument, if any, creating the trust, and shall have effect subject to the terms of that instrument, and to the provisions therein contained.

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(4.) This section applies to executorships, administratorships and trusts constituted or created either before or after the commencement of this Act.

Powers to two or more trustees.
[44 & 45 Vict c. 41. s. 38.]

**22.**—(1.) Where a power or trust is given to or vested in two or more trustees jointly, then, unless the contrary is expressed in the instrument, if any, creating the power or trust, the same may be exercised or performed by the survivor or survivors of them for the time being.

(2.) This section applies only to trusts constituted after or created by instruments coming into operation after the thirty-first day of December one thousand eight hundred and eighty-one.

Trustees exonerated in respect of certain acts and payments.
[22 & 23 Vict. c. 35. ss. 26, 27, 28, 29.]

**23.**—(1.) A trustee acting or paying money in good faith under or in pursuance of any power of attorney shall not be liable for any such act or payment by reason of the fact that at the time of the payment or act the person who gave the power of attorney was dead or had done some act to avoid the power, if this fact was not known to the trustee at the time of his so acting or paying.

Provided that nothing in this section shall affect the right of any person entitled to the money against the person to whom the payment is made, and that the person so entitled shall have the same remedy against the person to whom the payment is made as he would have had against the trustee.

Implied indemnity of trustees.
[22 & 23 Vict. c. 35. s. 31.]

**24.** Every trustee for the time being of an instrument creating a trust shall, without prejudice to the clauses contained therein, be chargeable only for money and securities actually received by him notwithstanding his signing any receipt for the sake of conformity, and shall be answerable and accountable only for his own acts, receipt, neglects, or defaults, and not for those of any other trustee, nor for any banker, broker, or other person with whom any trust moneys or securities may be deposited, nor for the insufficiency or deficiency of any securities, nor for any other loss, unless the same happens through his own wilful default; and may reimburse himself, or pay or discharge out of the trust premises all expenses incurred in or about the execution of the trusts or powers of the said instrument.

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## PART III.

### Powers of the Court.

*Appointment of New Trustees and Vesting Orders.*

Power of the Court to appoint new trustees.

[13 & 14 Vict. c. 60. ss. 32, 33, 36. 15 & 16 Vict. c. 55. ss. 8, 9. 20 & 21 Vict. c. 60. s. 322. 44 & 45 Vict. c. 41. s. 33. 46 & 47 Vict. c. 52. s. 147.]

**25.**—(1.) The High Court may, whenever it is expedient to appoint a new trustee or new trustees, and it is found inexpedient, difficult, or impracticable so to do without the assistance of the Court, make an order for the appointment of a new trustee or new trustees either in substitution for or in addition to any existing trustee or trustees, or although there is no existing trustee. In particular and without prejudice to the generality of the foregoing provision, the Court may make an order for the appointment of a new trustee in substitution for a trustee who is convicted of felony, or is a bankrupt.

(2.) No order under this section shall, nor shall any consequential vesting order or conveyance, operate further or otherwise as a discharge to any former or continuing trustee, than an appointment of new trustees under any power for that purpose contained in any instrument would have operated.

Vesting orders as to land.

[13 & 14 Vict. c. 60. ss. 7, 8, 9, 10, 11, 12, 13, 14, 15, 21, 34. 15 & 16 Vict. c. 55. s. 2.]

**26.** In any of the following cases, namely:—

(i.) Where the High Court appoints or has appointed a new trustee; and

(ii.) Where a trustee seised or possessed of or entitled to any land, or entitled to a contingent right therein, either solely or jointly with any other person,—

(*a*) is an infant, or

(*b*) is out of the jurisdiction of the High Court, or

(*c*) cannot be found; and

(iii.) Where it is uncertain who was the survivor of two or more trustees jointly seised or possessed of or entitled to any land; and

(iv.) Where, as to the last trustee known to have been seised or possessed of or entitled to any land, it is not known whether he is living or dead; and

(v.) Where there is no heir or personal representative to a trustee who was seised or possessed of or entitled to land and has died intestate as to that land, or where it is not known who is the heir or personal representative or devisee of a trustee who was seised or possessed of or entitled to land and is dead; and

(vi.) Where a trustee jointly or solely seised or possessed of or entitled to any land, or entitled to a contingent right therein,

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has been required, by or on behalf of a person entitled to require a conveyance of the land, or a release of the right to convey the land or to release the right, and has wilfully refused or neglected to convey the land or release the right for twenty-eight days after the date of the requirement;

the High Court may make an order (in this Act called a vesting order) vesting the land in any such person in any such manner and for any such estate as the Court may direct, or releasing or disposing of the contingent right to such person as the Court may direct.

Provided that—

(*a.*) Where the order is consequential on the appointment by the High Court of a new trustee the order shall be made vesting the land for such estate as the Court may direct in the persons who on the appointment are the trustees; and

(*b.*) Where the order relates to a trustee entitled jointly with another person, and such trustee is out of the jurisdiction of the High Court or cannot be found, the order shall be made vesting the land in, or releasing or disposing of the right to, such other person, either alone or with some other person.

Orders as to contingent rights of unborn persons. [13 & 14 Vict. c. 60. s. 16.]

**27.** Where any land is subject to a contingent right in an unborn person or class of unborn persons who, on coming into existence, would, in respect thereof, become seised or possessed of the land on any trust, the High Court may make an order releasing the land from the contingent right, or may make an order vesting in any person the estate of or to which the unborn person or class of unborn persons would, on coming into existence, be seised or possessed or entitled in the land.

Vesting order in place of conveyance by mortgagee. [13 & 14 Vict. c. 60. ss. 7, 8.]

**28.** Where any person seised or possessed of or entitled to land, or entitled to a contingent right in land, by way of security for money, is an infant, the High Court may make an order vesting or releasing or disposing of the land in like manner as in the case of an infant trustee.

Vesting order in place of conveyance by heir or devisee of mortgagee. [13 & 14 Vict. c. 60. s. 19.]

**29.** Where a mortgagee of land has died without having entered into the possession or into the receipt of the rents and profits thereof, and the money due in respect of the mortgage has been paid to a person entitled to receive the same, or that last-mentioned person consents to any order for the reconveyance of the land, then the High Court may make an order vesting the land in such person

or persons in such manner and for such estate as the Court may direct in any of the following cases, namely,—

(*a.*) Where an heir or personal representative or devisee of the mortgagee is out of the jurisdiction of the High Court or cannot be found; and

(*b.*) Where an heir or personal representative or devisee of the mortgagee on demand made by or on behalf of a person entitled to require a conveyance of the land has stated in writing that he will not convey the same or does not convey the same for the space of twenty-eight days next after a proper deed conveying the land has been tendered to him by or on behalf of the person so entitled; and

(*c.*) Where it is uncertain which of several devisees of the mortgagee was the survivor; and

(*d.*) Where it is uncertain as to the survivor of several devisees of the mortgagee or as to the heir or personal representative of the mortgagee whether he is living or dead; and

(*e.*) Where there is no heir or personal representative to a mortgagee who has died intestate as to the land, or where the mortgagee has died and it is not known who is his heir or personal representative or devisee.

Vesting order consequential on judgment for sale of land. [13 & 14 Vict. c. 60. s. 29. 15 & 16 Vict. c. 55. s. 1.]

**30.** Where any court gives a judgment or makes an order directing the sale of any land, every person who is seised or possessed of or entitled to the land, or entitled to a contingent right therein as heir, or under the will of a deceased person for payment of whose debts the judgment was given or order made, or who is a party to the action or proceeding or otherwise bound by the judgment or order, shall be deemed to be so seised or possessed or entitled, as the case may be, as a trustee within the meaning of this Act; and the High Court may, if it thinks expedient, make an order vesting the land or any part thereof for such estate as that Court thinks fit in the purchaser or in any other person.

Vesting order consequential on judgment for specific performance, &c. [13 & 14 Vict. c. 60. s. 30. 31 & 32 Vict. c. 40. s. 7.]

**31.** Where a judgment is given for the specific performance of a contract concerning any land, or for the partition, or sale in lieu of partition, or for the exchange of any land, or generally where any judgment is given for the conveyance of any land either in cases arising out of the doctrine of election or otherwise, the High Court may declare that any of the parties to the action are trustees of the land or any part thereof within the meaning of this Act, or may declare that the interests of unborn persons who might claim under any party to the action, or under the will or voluntary settlement of any person deceased who

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was during his lifetime a party to the contract or transactions concerning which the judgment is given, are the interests of persons who, on coming into existence, would be trustees within the meaning of this Act, and thereupon the High Court may make a vesting order relating to the rights of those persons, born and unborn, as if they had been trustees.

Effect of vesting order. [13 & 14 Vict. c. 60. ss. 7–15. 15 & 16 Vict. c. 55. ss. 1, 2, 8.]

**32.** A vesting order under any of the foregoing provisions shall in the case of a vesting order consequential on the appointment of a new trustee, have the same effect as if the persons who before the appointment were the trustees (if any) had duly executed all proper conveyances of the land for such estate as the High Court directs, or if there is no such person, or no such person of full capacity, then as if such person had existed and been of full capacity and had duly executed all proper conveyances of the land for such estate as the court directs, and shall in every other case have the same effect as if the trustee or other person or description or class of persons to whose rights or supposed rights the said provisions respectively relate had been an ascertained and existing person of full capacity, and had executed a conveyance or release to the effect intended by the order.

Power to appoint person to convey. [13 & 14 Vict. c. 60. s. 20.]

**33.** In all cases where a vesting order can be made under any of the foregoing provisions, the High Court may, if it is more convenient, appoint a person to convey the land or release the contingent right, and a conveyance or release by that person in conformity with the order shall have the same effect as an order under the appropriate provision.

Effect of vesting order as to copyhold. [13 & 14 Vict. c. 60. s. 28.]

**34.**—(1.) Where an order vesting copyhold land in any person is made under this Act with the consent of the lord or lady of the manor, the land shall vest accordingly without surrender or admittance.

(2.) Where an order is made under this Act appointing any person to convey any copyhold land, that person shall execute and do all assurances and things for completing the assurance of the land; and the lord and lady of the manor and every other person shall, subject to the customs of the manor and the usual payments, be bound to make admittance to the land and to do all other acts for completing the assurance thereof, as if the persons in whose place an appointment is made were free from disability and had executed and done those assurances and things.

Vesting orders as to stock and

**35.**—(1.) In any of the following cases, namely:—

(i.) Where the High Court appoints or has appointed a new trustee; and

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(ii.) Where a trustee entitled alone or jointly with another person to stock or to a chose in action—

choses in action.

(*a*) is an infant, or

(*b*) is out of the jurisdiction of the High Court, or

(*c*) cannot be found; or

(*d*) neglects or refuses to transfer stock or receive the dividends or income thereof, or to sue for or recover a chose in action, according to the direction of the person absolutely entitled thereto for twenty-eight days next after a request in writing has been made to him by the person so entitled, or

(*e*) neglects or refuses to transfer stock or receive the dividends or income thereof, or to sue for or recover a chose in action for twenty-eight days next after an order of the High Court for that purpose has been served on him, or

[13 & 14 Vict. c. 60. ss. 22, 23, 24, 25, 35. 15 & 16 Vict. c. 55. ss. 3, 4, 5, 6.]

(*f*) where it is uncertain whether such trustee is alive or dead,

the High Court may make an order vesting the right to transfer or call for a transfer of stock, or to receive the dividends or income thereof, or to sue for or recover a chose in action, in any such person as the Court may appoint:

Provided that—

(*a.*) Where the order is consequential on the appointment of a new trustee, the order shall be made vesting the right in the persons who, on the appointment, are the trustees; and

(*b.*) Where the person whose right is dealt with by the order was entitled jointly with another person, the right shall be vested in that last-mentioned person either alone or jointly with any other person whom the Court may appoint.

(2.) In all cases where a vesting order can be made under this section, the Court may, if it is more convenient, appoint some proper person to make or join in making the transfer.

[13 & 14 Vict. c. 60. s. 20.]

(3.) The person in whom the right to transfer or call for the transfer of any stock is vested by an order of the Court under this Act, may transfer the stock to himself or any other person, according to the order, and the Bank and all other companies shall obey every order under this section according to its tenor.

[13 & 14 Vict. c. 60. s. 26. 15 & 16 Vict. c. 55. s. 6.]

(4.) After notice in writing of an order under this section it shall not be lawful for the Bank or any other company to transfer any stock to which the order relates or to pay any dividends thereon except in accordance with the order.

(5.) The High Court may make declarations and give directions concerning the manner in which the right to any stock or chose in action vested under the provisions of this Act is to be exercised.

[13 & 14 Vict. c. 60. s. 31.]

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[18 & 19 Vict. c. 91. s. 10.] 17 & 18 Vict. c. 104.

(6.) The provisions of this Act as to vesting orders shall apply to shares in ships registered under the Merchant Shipping Act, 1854, as if they were stock.

Persons entitled to apply for vesting orders. [13 & 14 Vict. c. 60. s. 37.]

**36.**—(1.) An order under this Act for the appointment of a new trustee or concerning any land, stock, or chose in action subject to a trust, may be made on the application of any person beneficially interested in the land, stock, or chose in action, whether under disability or not, or on the application of any person duly appointed trustee thereof.

(2.) An order under this Act concerning any land, stock, or chose in action subject to a mortgage may be made on the application of any person beneficially interested in the equity of redemption, whether under disability or not, or of any person interested in the money secured by the mortgage.

Powers of new trustee appointed by the Court. [44 & 45 Vict. c. 41. s. 33.]

**37.** Every trustee appointed by a court of competent jurisdiction shall, as well before as after the trust property becomes by law, or by assurance, or otherwise, vested in him, have the same powers, authorities, and discretions, and may in all respects act as if he had been originally appointed a trustee by the instrument, if any, creating the trust.

Power to charge costs on trust estate. [13 & 14 Vict. c. 60. s. 51.]

**38.** The High Court may order the costs of and incident to any application for an order appointing a new trustee, or for a vesting order, or of and incident to any such order, or any conveyance or transfer in pursuance thereof, to be paid or raised out of the land or personal estate in respect whereof the same is made, or out of the income thereof, or to be borne and paid in such manner and by such persons as to the court may seem just.

Trustees of charities. [13 & 14 Vict. c. 60. s. 45.]

**39.** The powers conferred by this Act as to vesting orders may be exercised for vesting any land, stock, or chose in action in any trustee of a charity or society over which the High Court would have jurisdiction upon action duly instituted, whether the appointment of the trustee was made by instrument under a power or by the High Court under its general or statutory jurisdiction.

Orders made upon certain allegations to be conclusive evidence. 53 & 54 Vict. c. 5. [13 & 14 Vict. c. 60. s. 44. 53 & 54 Vict. c. 5.]

**40.** Where a vesting order has been made as to any land under this Act or under the Lunacy Act, 1890, or under any Act relating to lunacy in Ireland, founded on an allegation of the personal incapacity of a trustee or mortgagee, or on an allegation that a trustee or the heir or personal representative or devisee of a mortgagee is out of the jurisdiction of the High Court or cannot be found, or that it is uncertain which of several trustees or which of several devisees of a mortgagee was the survivor, or whether the

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last trustee or the heir or personal representative or last surviving devisee of a mortgagee is living or dead, or on an allegation that any trustee or mortgagee has died intestate without an heir or has died and it is not known who is his heir or personal representative or devisee, the fact that the order has been so made shall be conclusive evidence of the fact alleged in any court upon any question as to the validity of the order; but this section shall not prevent the Court from directing a reconveyance or the payment of costs occasioned by any such order if improperly obtained. A.D. 1891.

Vesting order to be stamped as a conveyance. [15 & 16 Vict. c. 35. s. 13.]

**41.** Every order made under this Act having the effect of a conveyance of land or a transfer of any such stock as can only be transferred by stamped deed shall be chargeable with the like amount of stamp duty as if it had been a deed executed by the person or persons seised or possessed of or entitled to the land or entitled to the stock, and every such order shall be duly stamped for denoting the payment of the duty.

Application of vesting order to land out of England. [13 & 14 Vict. c. 60. s. 54.]

**42.** The power of the High Court in England to make a vesting order under this Act shall extend to all land and personal estate in Her Majesty's dominions, except Scotland.

*Payment into Court by Trustees.*

Payment into Court by trustees. [36 Geo. 3. c. 52. s. 32. 10 & 11 Vict. c. 96. ss. 1, 2. 11 & 12 Vict. c. 68. 12 & 13 Vict. c. 74. s. 1.]

**43.**—(1.) Trustees, or the majority of trustees, having in their hands or under their control money or securities belonging to a trust, may pay the same into the High Court; and the same shall, subject to rules of Court, be dealt with according to the orders of the High Court.

(2.) The receipt or certificate of the proper officer shall be a sufficient discharge to trustees for the money or securities so paid into Court.

(3.) Where any moneys or securities are vested in any persons as trustees, and the majority are desirous of paying the same into court, but the concurrence of the other or others cannot be obtained, the High Court may order the payment into court to be made by the majority without the concurrence of the other or others; and where any such moneys or securities are deposited with any banker, broker, or other depositary, the Court may order payment or delivery of the moneys or securities to the majority of the trustees for the purpose of payment into court, and every transfer and every payment or delivery made in pursuance of any such order shall be valid and take effect as if the same had been made on the

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*Miscellaneous.*

Power to give judgment in absence of a trustee. [13 & 14 Vict. c. 60. s. 49.]

**44.** Where in any action the High Court is satisfied that diligent search has been made for any person who, in the character of trustee, is made a defendant in any action, to serve him with a process of the Court, and that he cannot be found, the Court may hear and determine the action and give judgment therein against that person in his character of a trustee, as if he had been duly served, or had entered an appearance in the action, and had also appeared by his counsel and solicitor at the hearing, but without prejudice to any interest he may have in the matters in question in the action in any other character.

Trustee may with the sanction of the Court sell land or minerals separately. [25 & 26 Vict. c. 108. s. 2.]

**45.**—(1.) Where a trustee is for the time being authorised to dispose of land by way of sale, exchange, partition, or enfranchisement, the High Court may sanction his so disposing of the land with an exception or reservation of any minerals, and with or without rights and powers of or incidental to the working, getting, or carrying away of the minerals, or so disposing of the minerals, with or without the said rights or powers, separately from the residue of the land.

(2.) Any such trustee, with the said sanction previously obtained, may, unless forbidden by the instrument creating the trust or direction, from time to time, without any further application to the Court, so dispose of any such land or minerals.

(3.) Nothing in this section shall derogate from any power which a trustee may have under the Settled Land Acts, 1882 to 1890, or otherwise.

Indemnity for breach of trust. [51 & 52 Vict. c. 59. s. 6.]

**46.**—(1.) Where a trustee commits a breach of trust at the instigation or request or with the consent in writing of a beneficiary, the High Court may, if it thinks fit, and notwithstanding that the beneficiary may be a married woman entitled for her separate use and restrained from anticipation, make such order as to the Court seems just, for impounding all or any part of the interest of the beneficiary in the trust estate by way of indemnity to the trustee or person claiming through him.

(2.) This section shall apply to breaches of trust committed as well before as after the passing of this Act, but shall not apply so as to prejudice any question in an action or other proceeding

which was pending on the twenty-fourth day of December one thousand eight hundred and eighty-eight, and is pending at the commencement of this Act. A.D. 1891.

Jurisdiction of palatine and county courts. [13 & 14 Vict. c. 60. ss. 21, 55. 17 & 18 Vict. c. 82. s. 11. 52 & 53 Vict. c. 47. s. 8.] 51 & 52 Vict. c. 43. 40 & 41 Vict. c. 56.

**47.** The jurisdiction and powers of the High Court under this Act may be exercised—

(*a.*) As to land and personal estate subject to the jurisdiction of the palatine court of the county palatine of Lancaster or of Durham, by that court; and

(*b.*) In any action or matter in respect whereof a county court has jurisdiction under section sixty-seven, sub-section five, of the County Courts Act, 1888, or under section thirty-three, sub-section (*i*) of the County Officers and Courts (Ireland) Act, 1877, or under the provisions for similar purposes of any Act for the time being relating to county courts, by the county court.

The provisions of this Act conferring such jurisdiction and powers shall, in the cases to which this section applies, be construed as if the High Court included the court having jurisdiction under this section.

Procedure of courts.

**48.** Subject to the provisions of this Act the jurisdiction of the High Court and the palatine and county courts shall be exercised, and payment of money and transfer of securities into court by trustees under this Act may be made, and money and securities so paid and transferred shall be dealt with—

(*a.*) As to the High Court and the palatine courts of Lancaster and Durham respectively, in manner prescribed by rules of court:

(*b.*) As to the county courts, according to the provisions of the County Courts Act, 1888, or the County Officers and Courts (Ireland) Act, 1877, or according to the provisions for such purposes of any Act for the time being in force relating to county courts, and otherwise as may be prescribed by rules of court. 51 & 52 Vict. c. 43. ss. 70, 71. 40 & 41 Vict. c. 56. s. 39.

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## PART IV.

### MISCELLANEOUS AND SUPPLEMENTAL.

Devolution of estates vested on trust or by way of mortgage. [44 & 45 Vict. c. 41. s. 30.]

**49.**—(1.) Where an estate or interest of inheritance, or limited to the heir as special occupant, in any tenements or hereditaments, corporeal or incorporeal, is vested on any trust, or by way of mortgage, in any person solely, the same shall, on his death, notwithstanding any testamentary disposition, devolve to and become vested in his personal representatives in like manner as if the same were a chattel real; and accordingly all the like powers, for one only of several joint personal representatives, as well as for a single personal representative, and for all the personal representatives together, to dispose of and otherwise deal with the same, shall belong to the deceased's personal representatives with all the like incidents, but subject to all the like rights, equities, and obligations as if the same were a chattel real vesting in them; and, for the purposes of this section, the personal representatives of the deceased shall be deemed in law his heirs and assigns within the meaning of all trusts and powers.

(2.) This section applies only in cases of death after the thirty-first day of December one thousand eight hundred and eighty-one.

[50 & 51 Vict. c. 73. s. 45.]

(3.) This section does not apply to an estate in land of copyhold or customary tenure vested in the tenant on the court rolls of any manor upon any trust or by way of mortgage.

Application to trustees under Settled Land Acts of provisions as to appointment of trustees. [53 & 54 Vict. c. 69. s. 17.]

**50.**—(1.) All the powers and provisions contained in this Act with reference to the appointment of new trustees, and the discharge and retirement of trustees, are to apply to and include trustees for the purposes of the Settled Land Acts, 1882 to 1890, whether appointed by the Court or by the settlement, or under provisions contained in the settlement.

(2.) This section applies and is to have effect with respect to an appointment or a discharge and retirement of trustees taking place before as well as after the commencement of this Act.

(3.) This section is not to render invalid or prejudice any appointment or any discharge and retirement of trustees effected before the passing of this Act, otherwise than under the provisions of the Conveyancing and Law of Property Act, 1881.

44 & 45 Vict. c. 41.

Trust estates not affected by trustee becoming a convict.

**51.** Property vested in any person on any trust or by way of mortgage shall not, in case of that person becoming a convict within the meaning of the Act of the session held in the thirty-third and thirty-fourth years of Her Majesty, chapter twenty-three, to abolish forfeitures for treason and felony, and to otherwise

amend the law relating thereto, vest in any such administrator as may be appointed under that Act, but shall remain in the trustee or mortgagee, or survive to his co-trustee or descend to his representative as if he had not become a convict; provided that this enactment shall not affect the title to the property so far as relates to any beneficial interest therein of any such trustee or mortgagee.

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[13 & 14 Vict. c. 60. ss. 46 and 47.]

Application of statutes of limitation to express trusts. [3 & 4 Will. 4. c. 27. s. 25. 36 & 37 Vict. c. 66. s. 25. (2). 37 & 38 Vict. c. 57. s. 10. 40 & 41 Vict. c. 57. s. 28. (2).]

**52.** Subject to the provisions of the next following section:—

(1.) Where any land or rent is vested in a trustee on any express trust, the right of the beneficiary or any person claiming through him to bring an action against the trustee, or any person claiming through him, to recover the land or rent, shall be deemed to have first accrued, according to the meaning of any statute of limitations, at and not before the time at which the land or rent has been conveyed to a purchaser for a valuable consideration, and shall then be deemed to have accrued only as against that purchaser and any person claiming through him:

(2.) No claim of a beneficiary against his trustee in respect of any property held on an express trust or in respect of any breach of an express trust shall be barred by any statute of limitations:

(3.) No action or other proceeding shall be brought to recover any sum of money or legacy charged upon or payable out of any land or rent and secured by an express trust, or to recover any arrears of rent or interest in respect of any sum of money or legacy so charged or payable and so secured, or any damages in respect of such arrears, except within the time within which the same would be recoverable if there were not any such trust.

Application of statutes of limitations to trustees. [51 & 52 Vict. c. 59. s. 8.]

**53.**—(1.) In any action or other proceeding against a trustee or any person claiming through him, except where the claim is founded on any fraud or fraudulent breach of trust to which the trustee was party or privy, or is to recover trust property, or the proceeds thereof still retained by the trustee, or previously received by the trustee and converted to his use, the following provisions shall apply:—

(*a.*) All rights and privileges conferred by any statute of limitations shall be enjoyed in the like manner and to the like extent as they would have been enjoyed in the action or other proceeding if the trustee or person claiming through him had not been a trustee or person claiming through him:

(*b.*) If the action or other proceeding is brought to recover money or other property, and is one to which no existing

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statute of limitations applies, the trustee or person claiming, through him shall be entitled to the benefit of and be at liberty to plead this Act as a bar to the action or other proceeding in the like manner and to the like extent as he would have been entitled to plead any statute of limitations in an action for money had and received; and so that this Act shall run against a married woman entitled in possession for her separate use whether with or without a restraint upon anticipation, but shall not begin to run against any beneficiary unless and until the interest of such beneficiary is an interest in possession.

(2.) No beneficiary, as against whom there would be a good defence by virtue of this section, shall derive any greater or other benefit from a judgment or order obtained by another beneficiary than he could have obtained if he had brought the action or other proceeding and this section had been pleaded.

(3.) This section shall apply only to actions or other proceedings commenced after the first day of January one thousand eight hundred and ninety, and shall not deprive any executor or administrator of any right or defence to which he was then entitled under any then existing statute of limitations.

Investment of sinking fund by local authorities. [52 & 53 Vict. c. 32. s. 7.]

**54.** Where the council of any county or borough or any urban or rural sanitary authority are authorised or required to invest any money for the purpose of a loans fund or a sinking fund, any enactment relating to such investment shall be modified so far as to allow the money to be invested in any of the stocks, funds, shares, or securities in which trustees are authorised by this Act to invest.

Provided as follows:—

(1.) The council or authority shall not by virtue of this section invest in any stocks, funds, shares, or securities issued or created by themselves, nor in real or heritable securities; and

(2.) The council or authority shall not retain any securities which are liable to be redeemed at a fixed time at par or at any other fixed rate, and are at a price exceeding their redemption value, unless more than fifteen years will elapse before the time fixed for redemption.

Indemnity. [11 & 12 Vict. c. 68. s. 3. 12 & 13 Vict. c. 74. s. 1. 15 & 16 Vict. c. 55. s. 7.]

**55.** This Act, and every order purporting to be made under this Act, shall be a complete indemnity to the Bank and to all persons for any acts done pursuant thereto; and it shall not be necessary for the Bank or for any person to inquire concerning the propriety of the order, or whether the Court by which it was made had jurisdiction to make the same.

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**56.** In this Act, unless the context otherwise requires,—

Definitions.

The expression "Bank" means the Bank of England, or Bank of Ireland, as the case may be.

[13 & 14 Vict. c. 60. s. 2.]

The expression "contingent right," as applied to land, includes a contingent or executory interest, a possibility coupled with an interest, whether the object of the gift or limitation of the interest, or possibility is or is not ascertained, also a right of entry, whether immediate or future, and whether vested or contingent.

[13 & 14 Vict. c. 60. s 2. 44 & 45 Vict. c. 41. s. 2 (v.).]

The expressions "convey" and "conveyance" applied to any person include the execution by that person of every necessary or suitable assurance for conveying, assigning, appointing, surrendering, or otherwise transferring or disposing of land, whereof he is seised or possessed, or wherein he is entitled to a contingent right, either for his whole estate or for any less estate, together with the performance of all formalities required by law to the validity of the conveyance, including the acts to be performed by married women and tenants in tail in accordance with the provisions of the Acts for abolition of fines and recoveries in England and Ireland respectively, and also including surrendering and other acts which a tenant of customary or copyhold lands can himself perform preparatory to or in aid of a complete assurance of the customary or copyhold land.

[13 & 14 Vict. c. 60. s. 2.]

The expression "devisee" includes the heir of a devisee and the devisee of an heir, and any person who may claim right by devolution of title of a similar description.

[44 & 45 Vict. c. 41. s. 2 (viii.).] [52 & 53 Vict. c. 32. s. 9.]

The expression "instrument" includes Act of Parliament.

[13 & 14 Vict. c. 60. s. 2. 44 & 45 Vict. c. 41. s. 2 (ii.).]

The expression "land" includes manors, and incorporeal as well as corporeal hereditaments, and any interest therein, and also an undivided share of land.

[44 & 45 Vict. c. 41. s. 2 (iv.).]

The expression "manor" includes lordship and reputed manor or lordship.

[13 & 14 Vict. s. 60. s. 2. 44 & 45 Vict. c. 41. s. 2. (vi.).]

The expressions "mortgage" and "mortgagee" include and relate to every estate and interest regarded in equity as merely a security for money, and every person deriving title under the original mortgagee.

The expressions "pay" and "payment" as applied in relation to stocks and securities, and in connexion with the expression

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"into court" include the deposit or transfer of the same in or into court.

[13 & 14 Vict. c. 60. s. 2. 44 & 45 Vict. c. 41. s. 2(iii.).]

The expression "possessed" applies to receipt of income of, and to any vested estate less than a life estate, legal or equitable, in possession or in expectancy, in, any land.

[44 & 45 Vict. c. 41. s. 2 (i.). 45 & 46 Vict. c. 39. s. 1 (4) (i.).]

The expression "property" includes real and personal property, and any estate and interest in any property, real or personal, and any debt, and any thing in action, and any other right or interest, whether in possession or not.

[44 & 45 Vict. c. 41. s. 2. (xiv.) 35 & 36 Vict. c. 44. s. 3.]

The expression "securities" includes stocks, funds, and shares; and so far as relates to payments into court has the same meaning as in the Court of Chancery (Funds) Act, 1872.

[13 & 14 Vict. c. 60. s. 2.]

The expression "seised" applies to any vested estate for life or of a greater description, and extends to equitable as well as legal estates in possession or in futurity in any land.

[52 & 53 Vict. c. 32. s. 9.] [13 & 14 Vict. c. 60. s. 2.]

The expression "stock" includes fully paid up shares; and, so far as relates to vesting orders made by the Court under this Act, includes any fund, annuity, or security transferable in books kept by any company or society, or by instrument of transfer either alone or accompanied by other formalities, and any share or interest therein.

[13 & 14 Vict. c. 60. s. 2.] [15 & 16 Vict. c. 55. s. 6.]

The expression "transfer," in relation to stock, includes the performance and execution of every deed, power of attorney, act, and thing on the part of the transferor to effect and complete the title in the transferee.

[13 & 14 Vict. c. 60. s. 2.]

The expression "trust" does not include the duties incident to an estate conveyed by way of mortgage; but with this exception the expressions "trust" and "trustee" include implied and constructive trusts, and the duties incident to the office of personal representative of a deceased person.

Repeal.

**57.** The Acts mentioned in the Schedule to this Act are hereby repealed except as to Scotland to the extent mentioned in the third column of that Schedule.

Extent of Act. [13 & 14 Vict. c. 60. s. 54. 22 & 23 Vict. c. 35. s. 33. 44 & 45 Vict. c. 41. s. 1 (3). 51 & 52 Vict. c. 59. s. 2. 52 & 53 Vict. c. 32. s. 2.]

**58.** This Act does not extend to Scotland.

Short title.

**59.** This Act may be cited as the Trustee Act, 1891.

Commencement.

**60.** This Act shall come into operation on the first day of January one thousand eight hundred and ninety-two.

# SCHEDULE.

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Section 57.

| Session and Chapter. | Title or Short Title. | Extent of Repeal. |
|---|---|---|
| 36 Geo. 3. c. 52. - | An Act for repealing certain duties on legacies and shares of personal estates, and for granting other duties thereon in certain cases. | Section thirty-two. |
| 3 & 4 Will. 4. c. 27. - | An Act for the limitation of actions and suits relating to real property, and for simplifying the remedies for trying the rights thereto. | Section twenty-five. |
| 9 & 10 Vict. c. 101. - | An Act to authorise the advance of public money to a limited amount to promote the improvement of land in Great Britain and Ireland by works of drainage. | Section thirty-seven. |
| 10 & 11 Vict. c. 96. - | An Act for better securing trust funds, and for the relief of trustees. | The whole Act. |
| 11 & 12 Vict. c. 68. - | An Act for extending to Ireland an Act passed in the last session of Parliament, entitled "An Act for better securing "trust funds, and for the relief "of trustees." | The whole Act. |
| 12 & 13 Vict. c. 74. - | An Act for the further relief of trustees. | The whole Act. |
| 13 & 14 Vict. c. 60. - | The Trustee Act, 1850 - - | Sections seven to nineteen, twenty-two to twenty-five, twenty-nine, thirty-two to thirty-six, forty-six, forty-seven, forty-nine, fifty-four and fifty-five, also the residue of the Act except so far as relates to the Court exercising jurisdiction in lunacy in Ireland. |
| 15 & 16 Vict. c. 55. - | An Act to extend the provisions of the Trustee Act, 1850. | Sections one to five, eight, and nine, also the residue of the Act except so far as relates to the Court exercising jurisdiction in lunacy in Ireland. |

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| Session and Chapter. | Title or Short Title. | Extent of Repeal. |
|---|---|---|
| 17 & 18 Vict. c. 82. - | The Court of Chancery of Lancaster Act, 1854. | Section eleven. |
| 18 & 19 Vict. c. 91. - | The Merchant Shipping Act Amendment Act, 1855. | Section ten. |
| 22 & 23 Vict. c. 35. - | An Act to further amend the law of property and to relieve trustees. | Sections twenty-six, thirty, and thirty-one. |
| 23 & 24 Vict. c. 38. - | An Act to further amend the law of property. | Section nine. |
| 25 & 26 Vict. c. 108. - | An Act to confirm certain sales, exchanges, partitions, and enfranchisements by trustees and others. | The whole Act |
| 26 & 27 Vict. c. 73. - | An Act to give further facilities to the holders of Indian stock. | Section four. |
| 27 & 28 Vict. c. 114. - | The Improvement of Land Act, 1864. | Section sixty, so far as relates to trustees; and section sixty-one. |
| 28 & 29 Vict. c. 78. - | The Mortgage Debenture Act, 1865. | Section forty. |
| 31 & 32 Vict. c. 40. - | The Partition Act, 1868 - | Section seven. |
| 33 & 34 Vict. c. 71. - | The National Debt Act, 1870 - | Section twenty-nine. |
| 34 & 35 Vict. c. 27. - | The Debenture Stock Act, 1871 | The whole Act. |
| 36 & 37 Vict. c. 66. - | The Supreme Court of Judicature Act, 1873. | Sub-section (2) of section twenty-five. |
| 37 & 38 Vict. c. 57. - | The Real Property Limitation Act, 1874. | Section ten. |
| 37 & 38 Vict. c. 78. - | The Vendor and Purchaser Act, 1874. | Sections three and six. |
| 38 & 39 Vict. c. 83. - | The Local Loans Act, 1875 - | Sections twenty-one and twenty-seven. |
| 40 & 41 Vict. c. 57. - | The Supreme Court of Judicature Act (Ireland), 1877. | Sub-section (2) of section twenty-eight. |
| 40 & 41 Vict. c. 59. - | The Colonial Stock Act, 1877 - | Section twelve. |
| 43 & 44 Vict. c. 8. - | The Isle of Man Loans Act, 1880 | Section seven. |
| 44 & 45 Vict. c. 41. - | The Conveyancing and Law of Property Act, 1881. | Sections thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, and thirty-eight. |

| Session and Chapter. | Title or Short Title. | Extent of Repeal. |
|---|---|---|
| 45 & 46 Vict. c. 39. - | The Conveyancing Act, 1882 - | Section five. |
| 46 & 47 Vict. c. 52. - | The Bankruptcy Act, 1883 - | Section one hundred and forty-seven. |
| 50 & 51 Vict. c. 73. - | An Act to amend the Copyhold Acts, and for the Enfranchisement of Copyhold and Customary Lands. | Section forty-five. |
| 51 & 52 Vict. c. 59. - | The Trustee Act, 1888 - - | The whole Act. |
| 52 & 53 Vict. c. 32. - | The Trust Investment Act, 1889 | The whole Act. |
| 52 & 53 Vict. c. 47. - | The Palatine Court of Durham Act, 1889. | Section eight. |
| 53 & 54 Vict. c. 69. - | The Settled Land Act, 1890 - | Section seventeen. |

Trustee. [H.L.]

A

# BILL

INTITULED

An Act to consolidate Enactments relating to Trustees.

(*Brought from the Lords* 13 *July* 1891.)

*Ordered, by* The House of Commons, *to be Printed*, 15 *July* 1891.

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[*Price* 3½*d.*]

[Bill 413.]

A

# B I L L

TO

## Amend the Trust Investment Act, 1889.

A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited as the Trust Investment Act (1889) Amendment Act, 1891.

Extent of Act.

**2.** This Act shall only extend to England and Wales.

Authorised investment.

**3.** Notwithstanding anything to the contrary in the Trust Investment Act, 1889, it shall be lawful for a trustee, unless expressly forbidden by the instrument (if any) creating the trust, to invest any trust funds in his hands.

In nominal inscribed or debenture stock, or in mortgages, debentures, or other securities issued or to be issued by the corporation of any municipal borough whether, according to the returns of the last census prior to the date of investment, the population exceeds fifty thousand or not.

Interpretation.

**4.** For the purposes of this Act the following terms have the meanings herein-after respectively assigned to them, that is to say:—

The expression "trustee" shall include an executor or administrator and a trustee whose trust arises by construction or implication of law as well as an express trustee.

The expression "instrument" shall include a private Act of Parliament.

# Trust Investment Act (1889) Amendment.

A

# B I L L

To amend the Trust Investment Act, 1889.

(*Prepared and brought in by Mr. Oldroyd, Lord Brooke, Mr. Curzon, Mr. Gully, Sir Matthew White-Ridley, and Mr. Rowntree.*)

*Ordered, by* The House of Commons, *to be Printed,* 17 *February* 1891.

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[*Price* ½*d.*]

[Bill 218.]

A

# B I L L

TO

## Amend the Law of Trusts in Scotland.

A.D. 1891.

WHEREAS by an Act passed in the twenty-fourth and twenty-fifth years of the reign of Her present Majesty, intituled An Act to amend the law in Scotland relative to the resignation, powers, and liabilities of gratuitous trustees, and by an Act passed in the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, intituled An Act to explain the Act for the amendment of the law relative to gratuitous trustees in Scotland, and by "The Trusts (Scotland) Act, 1867," and by "The Trusts (Scotland) Amendment Act, 1884, and by "The Trusts (Scotland) Act, 1867, Amendment Act, 1887," certain powers are conferred on gratuitous trustees in Scotland: 24 & 25 Vict. c. 84. 26 & 27 Vict. c. 115. 30 & 31 Vict. c. 97. 47 & 48 Vict. c. 63. 50 & 51 Vict. c. 18.

And it is expedient further to amend the law of trusts in Scotland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

**1.** This Act may be cited as the Trusts (Scotland) Amendment Act, 1891, and the aforesaid Acts and this Act may be cited as the Trusts (Scotland) Acts, 1861 to 1891, and shall be read and construed together. Short title.

**2.** For the purposes of this Act, the expressions "trust" and "trustee" shall have the meanings assigned to them by the Trusts (Scotland) Amendment Act, 1884, and the expression "the court" shall mean any court of competent jurisdiction in which a question relative to the actings, liability, or removal of a trustee comes to be tried. Explanatory.

**3.** The provisions of this Act relating to a trustee shall apply as well to several joint trustees as to a sole trustee. Act to extend to cases of joint trustees.

[Bill 209.]

A.D. 1891.

Trustee not to be chargeable with breach of trust for lending money on security of any property on certain conditions.

**4.**—(1.) No trustee lending money upon the security of any property shall be chargeable with breach of trust by reason only of the proportion borne by the amount of the loan to the value of such property at the time when the loan was made, provided that it shall appear to the court that in making such loan the trustee was acting upon a report as to the value of the property made by a person whom the trustee reasonably believed to be an able practical valuator instructed and employed by the trustee, whether such valuator carried on business in the locality where the property is situated or elsewhere, and that the amount of the loan does not exceed *two equal third parts* of the value of the property as stated in such report, and that the loan was made under the advice of such valuator expressed in such report. And this section shall apply to a loan upon any property on which the trustee can lawfully lend.

(2.) This section shall apply to transfers of existing securities as well as to new securities, and to investments made as well before as after *the passing of this Act*, except where some action or other proceeding shall be pending with reference thereto at the passing of this Act.

Extent of liability of trustee.

**5.**—(1.) Where a trustee shall have improperly advanced trust money on a heritable security, which would at the time of the investment have been a proper investment in all respects, for a less sum than was actually advanced thereon, the security shall be deemed an authorised investment for such less sum, and the trustee shall only be liable to make good the sum advanced in excess thereof with interest.

(2.) This section shall apply to investments made as well before as after *the passing of this Act*, except where some action or other proceeding shall be pending with reference thereto at the passing of this Act.

Power of court to make orders in cases of breaches of trust.

**6.**—(1.) Where a trustee shall have committed a breach of trust at the instigation or request, or with the consent in writing, of a beneficiary, the court may, if it shall think fit, and notwithstanding that the beneficiary may be a married woman entitled for her separate use, whether she has or has not powers of disposal or alienation, make such order as to the court shall seem just for applying all or any part of the interest of the beneficiary in the trust estate, by way of indemnity to the trustee or person claiming through him.

(2.) This section shall apply to breaches of trust committed as well before as after *the passing of this Act*, except where an action

or other proceeding shall be pending with reference thereto at the passing of this Act. A.D. 1891.

Trustee not to be personally liable for unwitting mistakes in his conduct as trustee.

**7.** Where it is declared in the deed or other instrument whereby a trust is created that a trustee shall not be liable for errors or omissions, or neglect of diligence, or for the insufficiency of securities, insolvency of debtors, or depreciation in the value of purchases, or where such deed or other instrument contains a clause of immunity to the like effect, such trustee shall not incur personal liability to the trust or the beneficiaries, in respect of his actings or conduct as trustee, unless it is proved that he acted corruptly or in bad faith.

In case of resignation of trustees.

**8.** Where a trustee entitled to resign (not being a sole trustee) shall have resigned in either of the modes provided by the Trusts (Scotland) Act, 1867, or otherwise, and his resignation shall have been duly completed, such trustee shall be thereby divested of the whole property and estate of the trust, which shall accrue to or devolve upon the continuing trustees or trustee, without the necessity of any conveyance or other transfer by the resigning trustee, but without prejudice to the right of the continuing trustees or trustee to require the resigning trustee to execute and deliver to the continuing trustees or trustee, at the expense of the trust, a conveyance or transfer (or conveyances or transfers) of the property or estate belonging to the trust or any part thereof, if the continuing trustees or trustee shall consider this expedient, and the resigning trustee when so required, shall be bound, at the expense of the trust, to execute and deliver such conveyance or conveyances, transfer or transfers accordingly.

Court to have power to remove trustees in cases of insanity, &c.

**9.** In the event of any trustee becoming insane, or incapable of acting, by reason of physical or mental disability, or by continuous absence from the United Kingdom for a period of six calendar months or upwards, such trustee in the case of insanity or incapacity of acting by reason of physical or mental disability shall, and in the case of continuous absence from the United Kingdom for a period of six calendar months or upwards may, on application in manner herein-after mentioned, by any co-trustee or any beneficiary in the trust estate, be removed from office upon such evidence as shall satisfy the court of the insanity, incapacity, or continuous absence of such trustee. Such application, in the case of a mortis causa trust, may be made, either to the Court of Session or to the sheriff court from which the original confirmation of the trustees as executors issued; and in the case of a marriage contract, may be made either to the Court of Session or to the sheriff court

A.D. 1891.

of the district in which the spouses are, or the survivor of them is, domiciled; and in all other cases shall be made to the Court of Session.

Application of Act.

**10.**—(1.) This Act shall apply as well to trusts created before as to trusts created after *the passing of this Act.*

(2.) Provided always, that save as in this Act expressly provided nothing therein contained shall authorise any trustee to do anything which he is in express terms forbidden to do, or to omit to do anything which he is in express terms directed to do.

(3.) And provided also, that nothing herein contained shall be held to extend the liability of trustees.

# Trusts Amendment (Scotland).

A

# B I L L

To amend the Law of Trusts in Scotland.

*(Prepared and brought in by Mr. J. B. Balfour and Mr. Crawford.)*

*Ordered, by* The House of Commons, *to be Printed,* 11 *February* 1891.

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[*Price* ½*d.*]

[Bill 209.]

A

# B I L L

TO

Provide for and regulate the user by purchasing tenants of Rights of Turbary. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Purchase of bog by Land Commission.

**1.**—(1.) Where any tenants of holdings on an estate have agreed to purchase their holdings, the Land Commission may, if the landlord agrees to sell any bog on the estate, purchase the same for the benefit of any tenants or purchasers of holdings on the estate who have been accustomed to exercise, whether as of right or by permission, any privilege of turbary over any bog on the estate, or may purchase the same for the benefit of any other tenants or purchasers of holdings on such estate and of other inhabitants of the neighbourhood.

(2.) *The amount of the purchase money and costs shall be defrayed as part of the expenses of the Land Commission,* and all sums received by the Land Commission in respect of bogs purchased in pursuance of this section shall, if directed by the Treasury, be applied as an appropriation in aid of money provided by Parliament for the expenses of the Land Commission, and so far as not so directed, shall be paid into the Exchequer.

(3.) The Land Commission, before purchasing any bog, shall be reasonably satisfied that they will ultimately realise by means of the bog an amount sufficient to repay the purchase money with interest at the rate of *three and one eighth* per centum per annum.

Grant of privilege of turbary.

**2.** Where the Land Commission purchase a bog on an estate, and any tenants or purchasers of holdings on the estate have been accustomed, whether as of right or by permission to exercise any

A.D. 1891.

privilege of turbary, the Commission shall grant them that privilege, subject to the provisions herein-after contained as to payment, conditions, and regulations, and so far as such grants shall not extend, may grant privileges of turbary to the tenants or purchasers of holdings on the estate and to other inhabitants of the neighbourhood, or any of them, and in every case shall require such payments as the Land Commission consider will, after deducting current expenses, pay off with interest the purchase money and costs of purchase, and may make such conditions and regulations as they think expedient as to the exercise of the privileges granted.

Sale of exhausted bog.

**3.** When the bog or any part thereof is exhausted for purposes of turbary the Land Commission may sell the same.

Regulations for exercise of rights of turbary.

**4.**—(1.) Where a holding for the purchase of which an agreement has been entered into by a tenant comprises a bog which is subject to a right of turbary exerciseable by persons other than the proprietor of the holding, the Land Department on the prescribed application may make regulations for the purpose of securing that the exercise of the right shall not prevent the future reclamation of the bog, and that such persons shall have reasonable facilities for the exercise of the said rights.

(2.) Any regulations under this section may provide for the punishment of any breach of them by a fine not exceeding *ten pounds* to be recovered in a court of summary jurisdiction.

Application of Act.

**5.** This Act shall apply where holdings have been purchased whether before or after the commencement of this Act, under any of the Land Purchase Acts, or under the Irish Church Act, 1869: Provided that where a holding subject to a right of turbary has been purchased before the commencement of this Act, the regulations under this section shall be made only on the application of the proprietor of the holding.

32 & 33 Vict. c. 42.

Definitions.

**6.** In this Act—

(1.) "Land Purchase Acts" means the Landlord and Tenant (Ireland) Act, 1870 (Parts II. and III.); the Land Law (Ireland) Act, 1881 (Part V.); the Purchase of Land (Ireland) Act, 1885; the Purchase of Land (Ireland) Amendment Act, 1888, and any Act amending the same.

(2.) "Estate" means any lands belonging to one landlord which the Land Commission may declare form a separate estate for the purposes of this Act.

(3.) Other expressions have the same meanings respectively as in the Land Purchase Acts.

Short title.

**7.** This Act may be cited as the Turbary (Ireland) Act, 1891.

# Turbary (Ireland).

A

# BILL

To provide for and regulate the user by purchasing tenants of Rights of Turbary.

*(Prepared and brought in by*
*Mr. Arthur Balfour and*
*Mr. Attorney-General for Ireland.)*

*Ordered, by* The House of Commons, *to be Printed,*
19 *June* 1891.

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[*Price* ½*d.*]

[Bill 378.]

[To be substituted for Bill previously delivered.]



A

# B I L L

TO

Amend the Law of Vagrancy in Scotland. A.D. 1891.

WHEREAS it is expedient to amend the laws relating to vagrants, beggars, and idle poor persons:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and application.

**1.** This Act may be cited as the Vagrants (Scotland) Act, 1891, and shall apply to Scotland only.

Penalty for begging or exposing children for purposes of begging.

**2.** Every person found begging, or causing or permitting the exposure of children of tender age to the inclemency of the weather, or causing such children to sing in any public road or public place, or otherwise acting so as to induce or for the purpose of inducing the giving of alms, and every person conducting himself as a vagrant, having no fixed place of residence, and no lawful means of getting a livelihood, shall on conviction before the sheriff or two justices of the peace be liable for the first offence to be imprisoned for any period not exceeding *thirty days*, and for the second or any subsequent offence, to be imprisoned for a period not exceeding *sixty days*.

Apprehension of young persons begging and of their parents.

**3.** It shall be lawful for any constable to apprehend and bring before the sheriff or two justices of the peace, any young person found begging, and also the parents or guardians of any such young person by whom he or she has been so sent or suffered to go out, and also any other person by whom such young person has been so sent out, and on the complaint being established that such young person has been sent out or suffered to go out for that purpose, it shall be lawful for the sheriff or justices to punish whoever may have sent out or suffered such young person to go out to beg as a

A.D. 1891.

vagrant or disorderly person, by a fine not exceeding *five pounds* or by imprisonment not exceeding *thirty days*.

Apprehension of vagrants.

**4.** It shall be the duty of any constable to apprehend and bring before the sheriff or two justices of the peace all beggars, vagrants, and idle poor persons strolling or wandering about the country without any visible means of subsistence, or seeking relief, or found lying in any building or outhouse, or camping in the open air or under a tent, and it shall be lawful for the sheriff or justices to direct and cause intimation of all such persons as he or they may not at the time convict to be sent to the inspector of poor of the parish within which such person shall have been found, in order that their claim, if any, as paupers may be investigated and disposed of according to law; and the sheriff or justices shall direct and cause all such persons to be detained in custody pending such investigation, and the said inspector shall be bound to report to the sheriff or justices the result of such investigation.

As to vagrants camping out, &c.

**5.** All beggars, vagrants, and idle poor persons who shall encamp in the open air or under a tent, or who shall lodge in any building or outhouse without the permission or authority of the owner or occupier thereof, shall on conviction before the sheriff or two justices of the peace be liable for the first offence to be imprisoned for any period not exceeding *thirty days*, and for the second or any subsequent offence to be imprisoned for a period not exceeding *sixty days;* and any person or persons permitting such beggars, vagrants, or idle persons to lodge in any building or outhouse shall be bound to satisfy the court before which such case is heard, that such buildings or outhouse are fit for human habitation, and failing their so doing the person or persons who may have granted such permission shall be liable in a fine not exceeding *five pounds*, or to imprisonment for any period not exceeding *sixty days*.

# Vagrancy (Scotland).

A

# B I L L

To amend the Law of Vagrancy in Scotland.

*(Prepared and brought in by Mr. Haldane and Mr. Duff.)*

*Ordered, by* The House of Commons, *to be Printed*, 27 *April* 1891.

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[*Price* ½*d.*]

[Bill 295.]

A

# B I L L

TO

Amend the Valuation of Lands (Scotland) Acts. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and extent of Act.

**1.** This Act may be cited as the Valuation and Rating (Scotland) Act, 1891, and shall apply to Scotland only.

Construction of Act.

**2.** This Act shall be read and construed as one with the Valuation (Scotland) Acts.

Interpretations.

**3.** In this Act the following words and expressions shall have the meanings in this section assigned to them, unless such meaning is inconsistent with the context:

"Waterworks" shall mean and include lands, reservoirs, embankments, conduits, sluices, aqueducts, tunnels, bridges, mains, pipes, engines, tanks, filter-beds, buildings, machinery, and apparatus connected with and forming part of or used in connexion with any works for the supply of water.

"Local assessments" shall mean and include all rates imposed by any rating authority in any county, burgh, or parish.

"Burgh" shall mean and include royal burgh, parliamentary burgh, burgh of barony, or of regality, and any populous place the boundaries of which have been fixed and determined under the provisions of any general or local Act of Parliament.

"Valuation (Scotland) Acts" shall mean and include the Act of the seventeenth and eighteenth years of Her present Majesty, chapter ninety-one (herein-after referred to as the Valuation (Scotland) Act, 1854), and any Acts amending the same.

Additional allowances to be made in ascertaining

**4.** In ascertaining the yearly rent or value in terms of the Valuation (Scotland) Acts of the lands and heritages forming part of the undertaking of any waterworks, the following allowances

A.D. 1891.

the annual value of waterworks.

shall be made by the assessor in addition to the allowances which he is at the *passing of this Act* bound to make in ascertaining such yearly rent or value; that is to say:—

*First.*—All annual sums paid for the year preceding that for which the valuation is made, whether in the form of annuities or otherwise, (1) in respect of the payments, if any, made for goodwill to the former owners or occupiers of such waterworks, or any part thereof, and not represented in the structural value of the works; and (2) in respect of the cost of acquiring, constructing, or enlarging any waterworks which have ceased to be used, or in so far as they are not in beneficial use; and

*Second.*—All annual sums paid for the said year into any sinking fund for the extinction of debt affecting such waterworks, or any part thereof.

The said annual sums shall be allowed by the assessor as deductions before the yearly rent or value of any such waterworks is fixed, provided that the assessor is satisfied that such sums have been truly expended in making payments as in this section mentioned.

Rating of underground works of waterworks.

**5.** All underground works of any waterworks, including tunnels, tracks, pipes, and all necessary underground structures, shall be rated for all local assessments on the nearest aggregate sum of pounds sterling to *one fourth* of the annual rent or value thereof, as ascertained and fixed under the Valuation (Scotland) Acts, as amended by this Act; and if any question shall arise under this section it shall be disposed of summarily by the sheriff of the county in which the portion of the waterworks to which such question relates is situated, and his decision shall be final.

Amendment of section six of Valuation Act, 1854, in cases of improvements, subletting, &c.

**6.** Section six of the Valuation (Scotland) Act, 1854, shall be read and construed as if it contained the following provisos, that is to say:—

"Provided also that where any lessee of any such lands and heritages, holding under a lease, the stipulated duration of which is *twenty-one years* or under from the date of the entry under the same, and in the case of minerals, *thirty-one years* or under from the date of such entry, has made structural erections, or alterations, or improvements on the subjects let, such erections, alterations, or improvements shall, in so far as they may have increased the yearly value of the subjects let, be deemed to be lands and heritages within the meaning of this Act, and such lessee shall be deemed to be the proprietor thereof for the purposes of this Act, and the assessor shall ascertain the annual value of such erections, alterations, or improvements as a separate subject, and shall make a

separate entry thereof in the valuation roll, setting forth all the particulars relating thereto as herein-before provided with respect to other lands and heritages."

"Provided also, that where any lands and heritages are sublet for a rent higher than the amount covenanted for as the rent of the same between the proprietor and the lessee thereof, the difference between the rent covenanted as aforesaid and the sub-rent (hereinafter referred to as the surplus rent), shall be deemed to be lands and heritages within the meaning of this Act, and the lessee so subletting shall be deemed to be the proprietor thereof for the purposes of this Act; and the assessor shall deal with such surplus rent as a separate subject, and shall make a separate entry thereof in the valuation roll, setting forth all the particulars relating thereto, as herein-before provided with respect to other lands and heritages; provided further, that where a part only of such lands and heritages is so sublet, then the surplus rent in such case shall be the difference between the rent agreed to be paid by the subtenant of such part, and such proportion of the rent covenanted as aforesaid under the lease between the aforesaid proprietor and lessee as the assessor shall estimate as being fairly applicable to such part of such lands and heritages."

Burgh valuation committee to be appointed.

**7.** From and after the *passing of this Act*, appeals and complaints under the Valuation (Scotland) Acts to the magistrates and council in any burgh, shall not be heard and determined by the general body of magistrates and councillors of such burgh, but shall be heard and determined by a standing committee of their own number to be annually appointed by such magistrates and council, consisting of not less than seven nor more than fifteen members, of whom three shall be a quorum, and to be called the burgh valuation committee. The burgh valuation committee may appoint a chairman, who shall have a casting as well as a deliberative vote. Any vacancy on the committee caused by death, resignation, or other cause may be filled up by the magistrates and council. The town clerk shall be clerk of the committee. The determination of a burgh valuation committee shall, for all purposes, be deemed to be the determination of the magistrates and council by whom it is appointed.

Constitution of valuation appeal court.

**8.** All appeals under the Valuation (Scotland) Acts to any judge or judges of the Court of Session shall hereafter be taken to and be heard and determined by three judges of that court, nominated from time to time by act of sederunt, and sitting together, whose decision shall be final. All enactments, with respect to appeals

A.D. 1891.

to any such judge or judges shall, except in so far as inconsistent with this section, apply to appeals to such three judges. Provided always that, notwithstanding any such appeal, the valuation roll shall be authenticated in pursuance of the provisions of section twelve of the Valuation (Scotland) Act, 1854, as soon as all appeals have been disposed of by the county valuation committee, or burgh valuation committee, under the Valuation (Scotland) Acts, as the case may be; and if in accordance with the opinion of the judges any entry in the valuation roll, authenticated as aforesaid, shall require alteration, such alteration shall forthwith be made and authenticated by the county clerk or town clerk, as the case may be, and any assessment paid or payable in respect of the lands and heritages to which the altered entry relates shall be adjusted accordingly.

# Valuation of Lands (Scotland).

A

# B I L L

To amend the Valuation of Lands (Scotland) Acts.

*(Prepared and brought in by Mr. Edmund Robertson, Mr. Campbell-Bannerman, Dr. Cameron, Mr. Buchanan, and Mr. Hunter.)*

*Ordered, by* The House of Commons, *to be Printed,* 26 *May* 1891.

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[*Price* ½*d.*]

[Bill 343.]

A

# B I L L

FOR

## The abolition of the ratal qualifications for Members of Vestries.

A.D. 1891.

WHEREAS it is expedient to further amend the Act passed in the session of Parliament holden in the eighteenth and nineteenth years of the reign of Her present Majesty Queen Victoria, chapter one hundred and twenty, intituled An Act for the better local management of the metropolis, and also of the Act of the session holden in the nineteenth and twentieth years of the reign of Her Majesty, chapter one hundred and twelve: 18 & 19 Vict. c. 120. 19 & 20 Vict. c. 112.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

**1.** From and after the *passing of this Act* the sixth section of the Act of the eighteenth and nineteenth of Victoria, chapter one hundred and twenty, is hereby repealed; and in lieu thereof be it enacted that the vestry elected under the said Act in any parish shall consist of persons rated or assessed to the relief of the poor; and that any person shall be capable of acting or being elected as one of such vestry for any parish who is the occupier of a house, lands, tenements, or hereditaments in such parish and is rated or assessed as aforesaid within such parish. Repeal of sect. 6 of 18 & 19 Vict. c. 120. Qualification of vestrymen.

**2.** The eighth section of the Act passed in the session holden in the nineteenth and twentieth years of Victoria, chapter one hundred and twelve, is hereby repealed in so far as it relates to the rental qualification of persons capable of acting or being elected as members of a vestry within the metropolis. Repeal of sect. 8 of 19 & 20 Vict. c. 112.

**3.** This Act may be cited for all purposes as the Metropolis Local Management (Vestrymen's Qualification) Act, 1891, and it shall extend and apply to the metropolis as defined by the Metropolis Local Management Act, 1855. Short title and extent of Act.

[Bill 179.]

# Vestrymen's Qualification Abolition.

A

# B I L L

For the abolition of the ratal qualifications for Members of Vestries.

(*Prepared and brought in by Mr. James Rowlands, Mr. Cremer, Mr. Howell, Mr. Whitmore, Mr. Pickersgill, and Mr. James Stuart.*)

*Ordered, by* The House of Commons, *to be Printed*, 30 *January* 1891.

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JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and 21, Drury Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 179.]

A

# B I L L

TO

## Facilitate the Representative Management of Voluntary Schools.

A.D. 1890.

WHEREAS certain public elementary schools are either wholly or partly maintained by grants annually made by Parliament and by voluntary contributions from persons resident in the neighbourhood, and are so situate that they are the only schools accessible to the parents of the children attending such schools :

And whereas it is expedient that the parents of the children attending such schools should be able to take part either directly or by their elected representatives in the management of such schools, although the contributions locally given for their maintenance be voluntary contributions or subscriptions :

And whereas by certain trust deeds containing provisions as to management, or by other documents or agreements entered into by themselves or their predecessors, the existing managers of some of the said schools are at the present time prevented from admitting to a share in the management any person but such as belong to certain specified religious denominations :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Members of managing body may be elected without regard to religious denomination.

**1.** After the *passing of this Act* it shall be lawful for the managing body of any such school to invite the subscribers to the school funds, and the parents of children attending such schools, or any inhabitant householders of the neighbourhood, to elect representatives to take part in the management of the said schools, and for such representatives so elected to take part in such management without regard to religious denomination, any trust deed,

A.D. 1890.

management-clause, agreement, or other document or direction providing to the contrary notwithstanding.

Extent of Act.

**2.** This Act shall apply to England, Scotland, and Wales.

Short title of Act.

**3.** This Act may be cited as the Voluntary Schools Representative Management Act, 1891.

# Voluntary Schools (Representative Management.)

A

# B I L L

To facilitate the Representative Management of Voluntary Schools.

(*Prepared and brought in by Mr. Charles Acland, Mr. Robert Reid, Mr. George P. Fuller, Sir Matthew White Ridley, and Mr. Heneage.*)

*Ordered, by* The House of Commons, *to be Printed,* 26 *November* 1890.

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[*Price* ½*d.*]

[Bill 59.]

A

# B I L L

TO

## Amend the Volunteer Act, 1863.

A.D. 1891.

WHEREAS by the twenty-sixth section of the Volunteer Act, 1863, it is enacted that the commanding officer of a volunteer corps or administrative regiment receiving any arms, ammunition, or other stores supplied at the public expense or by subscription shall, subject to the approval of Her Majesty, appoint a proper storehouse for the depositing and safe keeping of such arms, ammunition, or stores, and that every such storehouse shall be free from all county, parochial, or other local rates and assessments :

And whereas it is expedient to extend the law relating to such exemption from rates and assessments :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Exemption of certain lands used by volunteers from rating.

**1.** All lands, buildings, and hereditaments whereof the fee simple or any lesser term shall be vested in the officer commanding any volunteer corps, and used wholly or partly for the purposes of such corps, shall be free from all rates, taxes, assessments, and impositions, either parochial or parliamentary; and the overseers and other persons having the duty of making the rates shall leave out of the assessment all such lands, buildings, and hereditaments as aforesaid so long as the said lands, buildings, and hereditaments shall be used for the purposes of such volunteer corps, or so long as the money for which the same may be from time to time let for entertainments or other matters not of a permanent character shall be paid in aid of the funds of such volunteer corps.

Short title.

**2.** This Act may be cited as the Volunteer Act Amendment Act, 1891.

# Volunteer Act (1863) Amendment.

A

# B I L L

To amend the Volunteer Act, 1863.

(*Prepared and brought in by Mr. Boord, Colonel Laurie, Mr. Howard Vincent, and Mr. Gourley.*)

*Ordered, by* The House of Commons, *to be Printed,* 4 *February* 1891.

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and 21, Drury Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 186.]

A

# B I L L

TO

Provide for the Registration of Voters for Successive Occupation in the Metropolis. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited as the Successive Occupation Act, 1891.

Registration of voter who moves to another borough.

**2.** From and after the *passing of this Act*, any person otherwise entitled to be registered as a parliamentary voter in any metropolitan parliamentary borough who removes during the qualifying period to any other metropolitan borough, shall be entitled to be registered as an elector in the parliamentary division to which he has last removed within the metropolitan area: Provided that he has occupied premises, or has resided for a period of *three months* prior to the *fifteenth day of July* in any year within the parliamentary division for which he seeks to be registered.

Definition.

**3.** The expression "metropolitan area" in this Act means the City of London and the parishes and places mentioned in Schedules A, B, and C to the Metropolis Management Act, 1855, as amended by subsequent Acts.

# Voters' Successive Occupation.

A

# B I L L

To provide for the Registration of Voters for Successive Occupation in the Metropolis.

(*Prepared and brought in by*
*Mr. James Stuart, Mr. Causton,*
*Mr. James Rowlands, Mr. Cremer, Mr. Howell,*
*and Mr. Pickersgill.*)

*Ordered, by* The House of Commons, *to be Printed,*
23 *January* 1891.

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and 21, Drury Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* $\frac{1}{2}d.$]

[Bill 169.]

A

# B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Corsham Water, North Sussex Water, Rochford Rayleigh and Leigh Water, and Swaffham Water. A.D. 1891.

WHEREAS under the authority of the Gas and Water Works Facilities Act, 1870, the Board of Trade have made the several Provisional Orders set out in the schedule to this Act annexed: 33 & 34 Vict. c. 70.

And whereas a Provisional Order made by the Board of Trade under the authority of the Gas and Water Works Facilities Act, 1870, is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Act, and set out in the schedule to this Act annexed, be confirmed by Act of Parliament:

And whereas the limits of supply as defined by the Rochford Rayleigh and Leigh Water Order, 1891, hereby confirmed, include a portion of the area within which the Southend Waterworks Company were by the Southend Waterworks Act, 1879, authorised to supply water, but the said Company have not in fact supplied water within the portion aforesaid, and it has been agreed between the said Company and the Undertakers, for the purposes of the said Order, that the said Undertakers shall be authorised by the said Order to supply water therein, and that so much of the said Act as authorises the said Company to supply water therein shall be repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

A.D. 1891.

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

**1.** This Act may be cited as the Water Orders Confirmation Act, 1891.

Confirmation of Orders in schedule.

**2.** The several Orders as amended and set out in the schedule to this Act shall be and the same are hereby confirmed; and all the provisions thereof, in manner and form as they are set out in the said schedule, shall, from and after the passing of this Act, have full validity and effect.

Special provision as to houses of labouring class.

**3.** The Undertakers mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which after the passing of this Act have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Repeal of part of the Southend Waterworks Act, 1879.

**4.** So much of the Southend Waterworks Act, 1879, as authorises the Southend Waterworks Company to supply water within any parishes or parts of parishes in the county of Essex which are included within the limits of supply as defined by the Rochford Rayleigh and Leigh Water Order, 1891, hereby confirmed, is hereby repealed, and from and after the passing of this Act all the powers of the Southend Waterworks Company, with reference to the supply of water within such parishes or parts of parishes as aforesaid, shall absolutely cease and determine, and the said Order shall have as full validity and effect as though such parishes or parts of parishes had never been included within the limits within which the said Company were by the said Act authorised to supply water.

## SCHEDULE OF ORDERS.

A.D. 1891.

Corsham Water.—Order empowering the Corsham Waterworks Company Limited to raise additional Capital.

North Sussex Water.—Order authorising the construction and maintenance of Waterworks and the supply of Water in parts of the Parish of Worth in the County of Sussex.

Rochford, Rayleigh, and Leigh Water.—Order empowering the South East Essex Gas and Water Company, Limited, to construct and maintain Waterworks, and to supply Water within the Parishes of Rochford, Rayleigh, Leigh and Hockley, all in the County of Essex.

Swaffham Water.—Order empowering the Swaffham Waterworks Company, Limited, to maintain and continue Waterworks and to supply Water in the Parish of Swaffham in the County of Norfolk.

A.D. 1891.

*Corsham Water.*

## CORSHAM WATER.

*Order empowering the Corsham Waterworks Company Limited to raise additional Capital.*

Short title.

1. This Order may be cited as the Corsham Water Order 1891.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order."

Construction of Order.

3. The Corsham Water Order 1889 (in this Order referred to as "the Order of 1889") as amended by this Order and this Order shall be construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Additional capital.

4. The limitation prescribed by the Order of 1889 with respect to the amount of the share capital of the Undertakers shall not prevent the Undertakers from raising additional share capital not exceeding two thousand pounds (in this Order referred to as "the additional capital") for the purposes of the undertaking authorised by the Order of 1889 and this Order including any premiums that may be obtained on the sale of any shares under the provisions of this Order Provided that the share capital of the Undertakers shall not for such purposes exceed in the whole the sum of six thousand pounds unless the Undertakers are hereafter authorised to raise further additional share capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

New shares to be offered by auction or tender.

5. The Undertakers shall when any shares forming part of the additional capital are to be issued and before offering the same to the holder of any other share or stock of the Undertakers offer the same for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers may from time to time by special resolution determine Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares and that the reserve price put upon such shares shall not be less than the nominal amount thereof and notice of the amount of such reserve price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

When proprietor tenders same amount as any other person proprietor to be declared the purchaser.

6. When the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any such lot of shares so offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for the same lot by any person not being a proprietor then and in every such case such proprietor shall be declared to be the purchaser of and to be entitled to such lot.

*Corsham Water.*

7. It shall be one of the conditions of any sale of shares under the provisions of this Order that the whole nominal amount of each share together with any premium given by any purchaser at such sale in respect thereof shall be paid to the Undertakers within three months after such sale.

Purchase money of shares sold by auction to be paid within three months.

8. The intention to sell any shares by auction or tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of every local authority having jurisdiction within the limits of supply and to the Secretary of the Committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

As to notice to be given as to sale &c. of shares.

9. When any shares have been offered for sale by auction or tender under the provisions of this Order and not sold the same shall be offered at the reserve price put upon the same respectively for the purpose of sale by auction or tender to the holders of the ordinary shares or ordinary stock of the Undertakers in such manner as may be prescribed by a special resolution passed by the Undertakers Provided that any shares so offered and not accepted within the time prescribed by such resolution shall again be offered for sale by public auction or tender in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital.

Shares not sold by auction or tender to be offered to shareholders.

10. Any sum of money which may arise from the issue of any shares under the provisions of this Order by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Undertakers but shall be expended in extending or improving the works of the Undertakers or in paying off money borrowed or owing on mortgage by the Undertakers and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Application of premium arising on issue of shares.

11. The Undertakers shall not in any year declare or make out of their profits any larger dividends on the additional capital than seven pounds in respect of every one hundred pounds actually paid up of so much of such capital as may be issued as ordinary capital or six pounds in respect of every one hundred pounds actually paid of so much of such capital as may be issued as preference capital.

Limits of dividend on capital.

12. In case in any year or in any half-year if the Undertakers declare a dividend half-yearly the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary shares or stock in the share capital of the Undertakers a proportionate reduction shall be made in the dividends payable on each class.

Dividend on different classes of ordinary shares to be paid proportionately.

13. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the water undertaking shall not at any time exceed in the whole one-fourth of the amount of the capital of the Undertakers actually raised by the issue of shares or stock including any premiums that may be obtained on the sale of any shares under the provisions of this Order and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed

Limit of borrowing powers.

A.D. 1891.

*Corsham Water.*

by the Undertakers after the commencement of this Order and secured as aforesaid.

Costs of Order.

14. All the costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers.

---

*North Sussex Water.*

## NORTH SUSSEX WATER.

*Order authorising the construction and maintenance of Waterworks and the supply of Water in parts of the Parish of Worth in the County of Sussex.*

Short title.

1. This Order may be cited as the North Sussex Water Order 1891.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order."

Incorporation of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Waterworks Clauses Acts 1847 and 1863 are except where the same are expressly varied by this Order hereby incorporated with and form part of this Order.

Interpretation.

4. In this Order the expressions "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes of this Order the expression "the undertaking" shall mean the waterworks and the works connected therewith by this Order authorised to be constructed and maintained and the several words terms and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have the same respective meanings Provided that the expression "superior court" or "court of competent jurisdiction" in any Act in whole or in part incorporated with this Order shall be read and have effect as if the debt or demand in respect of which the expression is used were an ordinary simple contract debt and not a debt or demand created by statute.

Limits of Order.

5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parts hereinafter described of the parish of Worth in the county of Sussex (that is to say) :—

So much of that part of the parish of Worth which lies to the northward of the line of the London Brighton and South Coast Railway Company from Three

Bridges to Tunbridge Wells as lies within a radius of one mile from the point at which the said line of railway intersects the level crossing at the eastern end of the railway station at Grange Road and

So much of that part of the parish of Worth which lies to the southward of the said line of railway from Three Bridges to Tunbridge Wells as lies within a radius of two miles from the said level crossing.

Where Undertakers not furnishing sufficient supply local authority or company may supply.

6. If at any time after the expiration of six years from the commencement of this Order the Undertakers are not furnishing a sufficient supply of water in accordance with the provisions of this Order in any part of the district included within the limits of supply the local authority having jurisdiction within such part of the said district may provide such supply in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in such part of the said district as if in either case there were no company or person authorised by this Order to supply water therein.

If any difference shall arise between the Undertakers and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

*Undertakers.*

Undertakers.

7. Leonard Francis Palmer of Arundel House Lingfield Road East Grinstead Sussex and Samuel James Palmer of Grainger Street Newcastle-on-Tyne and the survivor of them or the executors or administrators of such survivor their or his assigns shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers" Provided that if the undertaking is at any time assigned to any other body company or person such body company or person shall from the date of such assignment be the Undertakers for the purposes of this Order in lieu of the person or persons above mentioned but no such assignment shall have any validity or effect until after the approval of the Board of Trade to such assignment has been signified in writing signed by a secretary or an assistant secretary of the said Board Provided that nothing in this Order contained shall prevent the Undertakers borrowing money on the security of mortgages of the undertaking not exceeding the amount by this Order prescribed or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage.

*Capital.*

Capital.

8. The capital of the Undertakers shall not for the purposes of the undertaking exceed ten thousand pounds unless any increase thereto be hereafter authorised by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

Limitation of profits.

9. If and so long as the undertaking is carried on by an individual or individuals as Undertakers and not by a duly constituted company in the construction of the provisions of the Waterworks' Clauses Act 1847 with respect to the amount of profits to be received by the Undertakers when the waterworks are carried on for their benefit and in the construction of this Order the

A.D. 1891.

*North Sussex Water.*

expression "paid-up capital in the undertaking" shall be deemed to mean so much of the capital authorised by this Order as has actually been expended on or is actually being used for the purposes of the undertaking.

Limit of borrowing powers.

10. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one-fourth of the amount of the paid up capital in the undertaking and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

*Lands.*

Power to acquire land.

11. The Undertakers may by agreement purchase take on lease acquire and use such of the lands shown on the deposited plans as they may require for the purposes of the undertaking and they may also by agreement from time to time purchase or take on lease and hold any other lands and any easements rights or privileges in over or affecting any lands which they may require for such purposes Provided that they shall not create or permit a nuisance on any such lands and that they shall not at any time hold for such purposes more than three acres of land in the whole in addition to the lands shown on the said plans.

Persons under disability may grant easements &c. to Undertakers.

12. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of the said Acts grant to the Undertakers any easement right or privilege (not being an easement of water) in over or affecting any such lands and the provisions of the said Acts with respect to lands and rent charges so far as the same are applicable in this behalf shall extend and apply to such grants or to such easements rights or privileges as aforesaid.

*Construction of Waterworks.*

Power to construct waterworks and supply water.

13. The Undertakers may on the lands shown on the deposited plans so long as they are possessed of the said lands or so long as they may be entitled to do so under any agreement make and maintain in the lines and according to the levels shown on the deposited plans and deposited sections the works hereinafter described with all necessary pipes mains culverts wells dams sluices engines engine-houses approaches embankments roads and all other works and conveniences connected therewith and they may subject to the provisions of this Order supply and sell water within the limits of supply.

The works authorised by this Order will be situate in the parish of Worth in the county of Sussex and are—

(*a*) A well and pumping station and tank or reservoir to be situated near the south-western part of the field numbered 733 on the twenty-five inch ordnance map of the parish of Worth;

(*b*) A conduit or line of pipes commencing at the tank or reservoir connected with the intended well and pumping station (A) first above described thence passing westward for about sixty yards into Bowers Place Road thence

northward along Bowers Place Road to its junction with the public road called Hophurst Lane leading to East Grinstead thence along the said public road towards East Grinstead and terminating in the said public road at a point opposite to the carriage entrance to the house called The Eagles.

Limits of deviation.

14. In constructing the works authorised by this Order the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans but in no case beyond the width of any road shown on the deposited plans and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards.

Period for completion of works.

15. The works authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by section eleven of the Gas and Water Works Facilities Act 1870 Provided that subject to the restrictions and provisions of this Order the Undertakers may from time to time alter enlarge and extend their engines machinery tanks wells pipes reservoirs and other works in such way and manner as may be requisite or advisable for supplying water subject to the provisions of this Order.

As to pipes crossing the works of a railway or other company.

16. If any difference arise between the Undertakers and any railway canal or other company whose lands or works the Undertakers have power to cross under the authority of this Order for the purpose of meeting the demands for water within the limits of supply as to the mode of laying down repairing altering or enlarging their conduits mains pipes or works in over or upon such lands or works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

*Supply.*

Rates for supply for domestic purposes.

17. The Undertakers shall at the request of the owner or occupier of any dwelling house or part of a dwelling house entitled under the provisions of this Order to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at rates not exceeding the rates per annum hereinafter specified (that is to say) :—

Where the rateable value of the premises so supplied with water does not exceed five pounds the sum of eight shillings and eight pence ;

Where such rateable value exceeds five pounds and does not exceed twenty pounds the rate of eight pounds per centum upon such rateable value ;

Where such rateable value exceeds twenty pounds and does not exceed forty pounds the rate of seven pounds ten shillings per centum upon such rateable value ;

Where such rateable value exceeds forty pounds and does not exceed sixty pounds the rate of seven pounds per centum upon such rateable value ;

Where such rateable value exceeds sixty pounds and does not exceed eighty pounds the rate of six pounds ten shillings per centum upon such rateable value ;

Where such rateable value exceeds eighty pounds the rate of six pounds per centum upon such rateable value ;

And so in proportion for any shorter period in each case:

A.D. 1891.

*North Sussex Water.*

Provided that the Undertakers shall in no case be entitled to demand for the water rate for any house or part of a house included in any division of the above scale a greater sum of money than they would be entitled to demand if such house or part of a house were of just such higher rateable value as would bring it within another division of the said scale.

The rateable value of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter for which the rate accrues:

Provided that where the water rate is chargeable on the rateable value of a part only of any hereditament entered in the valuation list such rateable value shall be a fairly apportioned part of the rateable value of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be determined by two justices.

Rates for water-closets &c.

18. In addition to the foregoing charges the Undertakers may charge in respect of every water-closet beyond the first (for which no additional charge shall be made) on any premises within the limits of supply a sum not exceeding five shillings per annum and for every fixed bath capable of containing not more than fifty gallons a sum not exceeding ten shillings per annum and for every fixed bath capable of containing more than fifty gallons such sum as the Undertakers may think fit such additional sums to be paid quarterly in advance and to be recoverable in all respects with and as the water rate.

Regulations for preventing waste of water.

19. For preventing waste misuse undue consumption or contamination of the water of the Undertakers the following provisions shall be in force and have effect but only within the district in which the Undertakers are bound to afford and do in fact afford or are prepared on demand to afford a constant supply The said provisions are as follows:—

(1) The Undertakers may from time to time make regulations for the purpose of preventing the waste undue consumption or misuse or contamination of water and may by such regulations prescribe the size make nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of the pipes meters cocks ferrules valves soil-pans water-closets baths tanks cisterns and other apparatus fittings means contrivances receptacles or appliances whatsoever to be used and forbid any arrangements and the use of the several things before mentioned or any or either of them which may allow or tend to waste or undue consumption misuse erroneous measurement or contamination;

(2) No such regulations shall be of any force or effect unless and until the same shall have been submitted to and confirmed by the Local Government Board who are hereby empowered to confirm the same;

(3) No such regulations shall be confirmed until after the expiration of one month after notice in writing to submit the same for confirmation together with a copy of the proposed regulations shall have been given by or on behalf of the Undertakers to the local authorities within the limits of supply who may within the said period of one month make such representations to the Local Government Board as they see fit;

(4) A copy of all such regulations in force for the time being shall be kept at the office of the Undertakers and all persons may at all reasonable times

inspect such copy without payment and the Undertakers shall cause to be delivered a printed copy of all regulations for the time being in force to every person applying for the same on payment of a sum not exceeding two pence for each copy;

(5) A printed copy of any such regulations dated and purporting to have been made as aforesaid and to have been confirmed by the Local Government Board shall be evidence until the contrary be proved in all legal proceedings of the due making confirmation publication and existence of such regulations without further or other proof;

(6) In case of failure of any person to observe such regulations as are for the time being in force the Undertakers may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any pipe meter valve cock ferrule tank cistern bath soil-pan water-closet or other apparatus means contrivance or receptacle fittings or appliances belonging to or used by such person and not being in accordance with the requirements of such regulations and the expense of every such repair replacement or alteration shall be repaid to the Undertakers by the person on whose credit the water is supplied and may be recovered by them as water rates are recoverable;

(7) Any person who shall offend against any such regulations shall (without prejudice to any other right or remedy for the protection of the Undertakers or punishment of the offender) be liable to a penalty not exceeding five pounds for each offence and to a further daily penalty not exceeding forty shillings for each day or part of a day whereon such offence shall occur after conviction thereof and the Undertakers may in addition thereto recover the amount of any damages sustained by them.

Supply of water by agreement.

20. The Undertakers may from time to time by agreement supply any urban or rural sanitary authority or any company authorised to supply water without the limits of supply with water in bulk for such remuneration and upon such terms and conditions as may be agreed upon between the Undertakers and such authority or company but notwithstanding any such agreement no such authority or company shall be entitled to a supply of water under any such agreement whenever and as long as the Undertakers are of opinion that the same would interfere with the proper supply of water for domestic purposes under the provisions of this Order and every such agreement shall be by virtue of this Order determinable by the Undertakers on one month's notice in writing Provided that nothing herein contained shall be construed as conferring any powers on the Undertakers in relation to the laying down or placing of any pipe or conduit or the breaking up of any road or street or the execution of any work beyond the limits of supply or as empowering the Undertakers to supply water in any district beyond the limits of supply within the meaning of section fifty-two of the Public Health Act 1875 or any similar provision.

Supply of water by measure.

21. The Undertakers may if they think fit enter into agreements for the supply of water by measure within the limits of supply to any person and may charge a rent for each meter or other instrument for measuring water provided by them at a rate per annum not exceeding fifteen per centum of the cost of such meter or instrument such rent to be paid quarterly in advance and to be recoverable in all respects with and as the water rate.

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*North Sussex Water.*

Undertakers to keep meters &c. in repair.

22. The Undertakers shall at all times at their own expense keep all meters or other instruments for measuring water let by them for hire to any person in proper order for correctly registering the supply of water and in default of their so doing such person shall not be liable to pay rent for the same during such time as such default continues The Undertakers shall for the purposes aforesaid have access to and be at liberty to remove test inspect and replace any such meter or other instrument at all reasonable times.

Register of meters &c. to be evidence.

23. Where water is supplied by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed and in respect of which any water rate is charged and sought to be recovered by the Undertakers Provided that if the Undertakers and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

Amendment of 10 & 11 Vict. c. 17. s. 44.

24. Section forty-four of the Waterworks Clauses Act 1847 shall for the purposes of this Order have effect as if the words "with the consent in writing "of the owner or reputed owner of any such house or of the agent of such "owner" were omitted therefrom Provided that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Where several houses supplied by one pipe each to pay.

25. Where several houses or parts of houses in the occupation of several persons are supplied by one common pipe the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been separately supplied with water from the works of the Undertakers by a distinct pipe Provided that the Undertakers shall not be compelled to supply water to the occupier of any part of a dwelling house unless the water rate is paid for the whole of such dwelling house.

Supply of water to tenements in a row.

26. Where there are several tenements in a row no tenant or occupier of any one of the tenements nor any person on his behalf shall take or use the water laid on by the Undertakers to any other such tenement unless such tenant or occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

*Penalties.*

Injuring meters &c.

27. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Undertakers or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Undertakers shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds and the Undertakers may in addition thereto recover the amount of any damage by them

sustained and in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Undertakers or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Undertakers the Undertakers may also until the matter complained of has been remedied but no longer discontinue the supply of water to the person so offending (notwithstanding any contract previously existing) and the existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Undertakers when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be primâ facie evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

Misuser where supply to several houses is by a pipe common to all.

28. Any tenant or occupier of one or part of one of several houses or tenements supplied by a common pipe who takes or uses the water laid on by the Undertakers to any other such house or tenement or allows the same to be taken or used contrary to the provisions of this Order shall for every such offence be liable to a penalty not exceeding five pounds.

*Miscellaneous.*

Incoming tenant not liable to pay arrears.

29. In case any person supplied with water by the Undertakers leaves the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from payment of such arrears.

Several sums in one summons.

30. Any summons or warrant issued for any of the purposes of this Order may contain in the body thereof or in the schedule thereto several sums.

Warrant of distress to include costs.

31. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money and such costs shall be ascertained by such justice and shall be included in the warrant of distress for the recovery of such money.

Liability to water rate not to disqualify justices from acting.

32. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

8 Vict. c. 16. s. 140 incorporated.

33. Section one hundred and forty of the Companies Clauses Consolidation Act 1845 shall be and is hereby incorporated with this Order Provided that for the purpose of such incorporation the expression "the Company" in the said section shall be construed to mean the Undertakers.

Costs of Order.

34. All the costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers.

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*Rochford, Rayleigh, and Leigh Water.*

## ROCHFORD, RAYLEIGH AND LEIGH WATER.

*Order empowering the South East Essex Gas and Water Company, Limited, to construct and maintain Waterworks, and to supply Water within the Parishes of Rochford, Rayleigh, Leigh and Hockley, all in the County of Essex.*

Short title.

1. This Order may be cited as the Rochford, Rayleigh and Leigh Water Order, 1891.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed, which date is in this Order referred to as "the commencement of this Order."

Incorporation of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the Promoters of the undertaking) and of the Waterworks Clauses Acts, 1847 and 1863, are, except where the same are expressly varied by this Order, hereby incorporated with and form part of this Order.

Interpretation.

4. In this Order the expressions "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes of this Order, and the several words, terms and expressions to which by any Act in whole or in part incorporated with this Order, and by the Gas and Water Works Facilities Act, 1870, meanings are assigned, have the same respective meanings: Provided that the expression "superior court" or "court of competent jurisdiction," in any Act in whole or in part incorporated with this Order, shall be read and have effect as if the debt or demand in respect of which the expression is used were an ordinary simple contract debt and not a debt or demand created by statute.

Limits of Order.

5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parishes of Rochford and Rayleigh, so much of the parish of Leigh as lies north of the high water mark of the River Thames, and so much of the parish of Hockley as lies south of the road leading from Ashingdon to Battlesbridge, all in the county of Essex.

Where Undertakers not furnishing sufficient supply local authority or company may supply.

6. If at any time after the expiration of six years from the commencement of this Order the Undertakers are not furnishing a sufficient supply of water, in accordance with the provisions of this Order, in any part of the district included within the limits of supply, the local authority having jurisdiction within such part of the said district may provide such supply, in accordance with the provisions of the Public Health Act, 1875, or any company, body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in such part of the said district, as if in either case there were no company authorised by this Order to supply water therein.

If any difference shall arise between the Undertakers and any such local authority, company, body or person as to the sufficiency of the supply of water in any part of such district, such difference shall be settled on the application of either party by the Board of Trade.

*Undertakers.*

*Rochford, Rayleigh, and Leigh Water.*

Undertakers.

7. The South East Essex Gas and Water Company, Limited, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

*Capital.*

Capital.

8. The share capital of the Undertakers, for the purposes of the water undertaking, shall not exceed eighteen thousand pounds, unless any increase thereto be hereafter authorised for such purposes by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.

Limit of borrowing powers.

9. The amount of all moneys borrowed by the Undertakers, and secured by mortgage of the water undertaking, shall not at any time exceed in the whole one-fourth of the amount of the capital of the Undertakers actually raised by the issue of shares or stock, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the commencement of this Order, and secured as aforesaid.

*Lands.*

Power to acquire lands.

10. The Undertakers may by agreement purchase, take on lease, acquire and use such of the lands shown on the deposited plans as they may require for the purposes of the water undertaking, and they may also by agreement from time to time purchase or take on lease and use any other lands, and any easements, rights or privileges in, over or affecting any lands which they may require for such purposes: Provided that they shall not create or permit a nuisance on any such lands, and that they shall not at any time hold for such purposes more than three acres of land in the whole, in addition to the lands shown on the said plans.

Persons under disability may grant easements, &c., to Undertakers.

11. Persons empowered by the Lands Clauses Acts to sell and convey, or release lands, may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege (not being an easement of water) in over or affecting any such lands; and the provisions of the said Acts with respect to lands and rent-charges, so far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights or privileges as aforesaid.

*Construction of Waterworks.*

Power to construct waterworks and supply water.

12. The Undertakers may on the lands shown on the deposited plans, when they have acquired and while they are possessed of the same, make and maintain in the lines and according to the levels shown on the deposited plans and deposited sections, the works hereinafter described, with all needful tanks, pipes, mains, culverts, embankments, cuts, drains, sluices, engines, pumps, filtering beds, weirs, meters, and other works connected therewith necessary for the supply of water, and they may, subject to the provisions o this Order, supply and sell water within the limits of supply.

The works authorised by this Order will be wholly situate in the county of Essex, and are as follows :—

(1) A well and pumping station, with pumping engines, engine and boiler houses, and other works, buildings and conveniences, to be situate at and

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upon a piece or parcel of land in the south-east corner of a piece of land belonging or reputed to belong to Esther Eliza Rose, and in the occupation of Henry Luker, and bounded on the north, east and west by land also belonging or reputed to belong to the said Esther Eliza Rose, and on the south by the high road from Rayleigh to Hadleigh, all in the parish of Rayleigh, in the county of Essex;

(2) A service reservoir, to be situate upon the said piece or parcel of land firstly before described;

(3) A main conduit, or line of pipes (No. 1), commencing at the aforesaid well and pumping station, and terminating at the aforesaid service reservoir, situate wholly upon the said piece or parcel of land firstly before described.

Limits of deviation.

13. In constructing the works authorised by this Order, the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans, but in no case beyond the width of any road shown on the deposited plans, and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards.

Period for completion of works.

14. The works authorised by this Order shall be commenced, constructed and completed within the time, and subject to the conditions prescribed by section eleven of the Gas and Water Works Facilities Act, 1870: Provided that, subject to the restrictions and provisions of this Order, the Undertakers may, from time to time, alter, enlarge and extend their engines, machinery, tanks, wells, pipes, reservoirs and other works in such way and manner as may be requisite or advisable for supplying water, subject to the provisions of this Order.

For the protection of the Southend Waterworks Company.

15. Notwithstanding anything in this Order or in any of the Acts incorporated therewith contained, the undertakers shall not make or sink any well or shaft within one mile of any part of the parishes of Eastwood and Prittlewell, respectively, without the consent in writing of the Southend Waterworks Company under their common seal.

For the protection of the Great Eastern Railway Company.

16. All works to be constructed by the Undertakers in the exercise of the powers conferred by this Order in any way affecting the railway of the Great Eastern Railway Company, or any of the bridges or works thereof, or any lands or property belonging to the said Company shall be constructed under the superintendence and to the reasonable satisfaction of the principal engineer, for the time being, of the said Company, and according to plans to be reasonably approved by him, but in all things at the expense of the Undertakers; and so as to cause no injury to such railway, bridges, works, lands or property, or interruption to the passage or conduct of traffic over such railway; and if in consequence of the construction of such works any injury be caused to such railway, bridges, works, lands or property, or any interruption be caused to such traffic, the Undertakers shall make full compensation to the said Company in respect of such injury or interruption, the amount of such compensation, failing agreement, to be settled by arbitration, in the manner provided for settling cases of disputed compensation by the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

For the protection of the London, Tilbury and

17.—(1.) Any mains or pipes which the Undertakers may lay down, in or along any road crossing either over, under or on the level of the London, Tilbury and Southend Railway, shall, so far as they may affect the said railway, be laid

down by the Undertakers, at such times as may be reasonably required, by and under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of the London, Tilbury and Southend Railway Company, and in accordance with plans and sections (when necessary in the opinion of such engineer) previously submitted to and approved of by him; and any of such mains from time to time renewed or repaired by the Undertakers shall be renewed and repaired in the same manner and under the like conditions.

Southend Railway Company.

(2.) The said mains and pipes shall be so laid down, maintained, repaired and used by the Undertakers as not to cause any damage or injury to, or impede the free and uninterrupted use of, the said railway and works.

(3.) The Undertakers shall at all times keep the said company indemnified against all damages, losses, expenses or injury which they or the traffic on their railway may sustain or incur by reason or in consequence of the laying down, maintaining and using such mains and pipes.

As to pipes crossing the works of a railway or other company.

18. If any difference arise between the Undertakers and any railway, canal, or other company, whose lands or works the Undertakers have power to cross, under the authority of this Order, for the purpose of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering or enlarging their conduits, mains, pipes or works in, over, or upon such lands or works, or the facilities to be afforded for the same, such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

*Supply.*

Limits of pressure.

19. The water supplied by the Undertakers need not at any time be delivered at a greater height than can be reached by gravitation from the service reservoir or works authorised by this Order.

Rates for supply for domestic purposes.

20. The Undertakers shall, at the request of the owner or occupier of any dwelling-house, or part of a dwelling-house, entitled under the provisions of this Order to demand a supply of water for domestic purposes furnish to such owner or occupier a sufficient supply of water for such domestic purposes at rates not exceeding the rates per annum hereinafter specified (that is to say):—

Where the rateable value of the premises so supplied with water does not exceed five pounds, the sum of eight shillings and eightpence;

Where such rateable value exceeds five pounds and does not exceed twenty pounds, the rate of eight pounds per centum upon such rateable value;

Where such rateable value exceeds twenty pounds and does not exceed forty pounds, the rate of seven pounds ten shillings per centum upon such rateable value;

Where such rateable value exceeds forty pounds and does not exceed sixty pounds, the rate of seven pounds per centum upon such rateable value;

Where such rateable value exceeds sixty pounds and does not exceed eighty pounds, the rate of six pounds ten shillings per centum upon such rateable value;

Where such rateable value exceeds eighty pounds, the rate of six pounds per centum upon such rateable value;

And so in proportion for any shorter period in each case:

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Provided that in the case of any inn or hotel, whether public or private, so supplied with water, the rateable value of which exceeds fifteen pounds, the undertakers shall be entitled to demand and take in respect of such supply a rate not exceeding the rate of seven pounds ten shillings per centum per annum upon such value :

Provided also that the Undertakers shall not be compellable to furnish any such supply for any less sum than eight shillings and eightpence in any one year, and that the Undertakers shall not be entitled in any case to demand for the water rate for any house or part of a house included in any division of the above scale a greater sum of money than they would be entitled to demand if such house or part of a house were of just such higher rateable value as would bring it within another division of the said scale.

The rateable value of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter for which the rate accrues :

Provided that where the water rate is chargeable on the rateable value of a part only of any hereditament entered in the valuation list, such rateable value shall be a fairly apportioned part of the rateable value of the whole tenement ascertained as aforesaid, the apportionment in case of dispute to be determined by two justices.

Rates for water closets, baths, &c.

21. In addition to the foregoing charges the Undertakers may charge, in respect of every water closet beyond the first (for which no additional charge shall be made), on any premises within the limits of supply, a sum not exceeding five shillings per annum, and for every fixed bath capable of containing not more than fifty gallons a sum not exceeding ten shillings per annum, and for every fixed bath capable of containing more than fifty gallons such sum as the Undertakers may think fit, such additional sums to be paid quarterly in advance, and to be recoverable in all respects with and as the water rate.

Regulations for preventing waste of water.

22. For preventing waste, misuse, undue consumption or contamination of the water of the Undertakers, the following provisions shall be in force and have effect, but only within the district in which the Undertakers are bound to afford, and do in fact afford or are prepared on demand to afford, a constant supply. The said provisions are as follows :—

(1) The Undertakers may from time to time make regulations for the purpose of preventing the waste, undue consumption, or misuse or contamination of water, and may, by such regulations, prescribe the size, make, nature, materials, workmanship, and strength, and the mode of arrangement, connection, disconnection, alteration, and repair of the pipes, meters, cocks, ferrules, valves, soil pans, water closets, baths, tanks, cisterns, and other apparatus, fittings, means, contrivances, receptacles, or appliances, whatsoever to be used, and forbid any arrangements, and the use of the several things before mentioned, or any or either of them, which may allow or tend to waste or undue consumption, misuse, erroneous measurement, or contamination ;

(2) No such regulations shall be of any force or effect unless and until the same shall have been submitted to and confirmed by the Local Government Board, who are hereby empowered to confirm the same ;

(3) No such regulations shall be confirmed until after the expiration of one month after notice, in writing, to submit the same for confirmation, together with a copy of the proposed regulations, shall have been given by or on behalf of the Undertakers to the local authorities within the limits of supply, who may, within the said period of one month, make such representations to the Local Government Board as they see fit;

(4) A copy of all such regulations in force for the time being shall be kept at the office of the Undertakers, and all persons may at all reasonable times inspect such copy without payment; and the Undertakers shall cause to be delivered a printed copy of all regulations for the time being in force to every person applying for the same on payment of a sum not exceeding twopence for each copy;

(5) A printed copy of any such regulations dated and purporting to have been made as aforesaid, and to be sealed with the seal of the Undertakers, and to have been confirmed by the Local Government Board, shall be evidence until the contrary be proved in all legal proceedings of the due making, confirmation, publication, and existence of such regulations without further or other proof;

(6) In case of failure of any person to observe such regulations as are for the time being in force, the Undertakers may, if they think fit, after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer, repair, replace, or alter any pipe, meter, valve, cock, ferrule, tank, cistern, bath, soil pan, water closet, or other apparatus, means, contrivance or receptacle, fittings or appliances, belonging to or used by such person, and not being in accordance with the requirements of such regulations, and the expense of every such repair, replacement or alteration shall be repaid to the Undertakers by the person on whose credit the water is supplied, and may be recovered by them as water rates are recoverable;

(7) Any person who shall offend against any such regulation shall, without prejudice to any other right or remedy for the protection of the Undertakers or punishment of the offender, be liable to a penalty not exceeding five pounds for each offence, and to a further daily penalty not exceeding forty shillings for each day or part of a day whereon such offence shall occur after conviction thereof, and the Undertakers may, in addition thereto, recover the amount of any damages sustained by them.

Supply of water by agreement.

23. The Undertakers may from time to time, by agreement, supply any urban or rural sanitary authority or any company authorised to supply water without the limits of supply with water in bulk or otherwise for such remuneration and upon such terms and conditions as may be agreed upon between the Undertakers and such authority or company but notwithstanding any such agreement, no such authority or company shall be entitled to a supply of water under any such agreement whenever and so long as the Undertakers are of opinion that the same would interfere with the proper supply of water for domestic purposes under the provisions of this Order, and every such agreement shall be, by virtue of this Order, determinable by the Undertakers on one month's notice in writing: Provided that nothing herein contained shall be construed as conferring any powers on the Undertakers in relation to the laying down or placing of any pipe or conduit, or the breaking up of any road or street, or the

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execution of any work beyond the limits of supply, or as empowering the Undertakers to supply water in any district beyond the limits of supply within the meaning of section fifty-two of the Public Health Act, 1875, or any similar provision: Provided also that the Undertakers shall not supply water to any body or person for use or consumption within the district or limits of supply of the Southend Waterworks Company without the consent in writing of such Company, and then only upon such terms as shall be expressed in such consent.

Supply of water by measure.

24. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure within the limits of supply to any person, and may charge a rent for each meter or other instrument for measuring water provided by them at a rate per annum not exceeding fifteen per centum of the cost of such meter or instrument, such rent to be paid quarterly in advance, and to be recoverable in all respects with and as the water rate.

Undertakers to keep meters, &c. in repair.

25. The Undertakers shall at all times, at their own expense, keep all meters or other instruments for measuring water let by them for hire to any person in proper order for correctly registering the supply of water, and in default of their so doing, such person shall not be liable to pay rent for the same during such time as such default continues. The Undertakers shall, for the purposes aforesaid, have access to, and be at liberty to remove, test, inspect, and replace any such meter or other instrument at all reasonable times.

Register of meters, &c. to be evidence.

26. Where water is supplied by measure the register of the meter or other instruments for measuring water shall be primâ facie evidence of the quantity of water consumed, and in respect of which any water rate is charged and sought to be recovered by the Undertakers: Provided that if the Undertakers and the person to whom the water is supplied differ as to the quantity consumed, such difference shall be determined upon the application of either party by a court of summary jurisdiction, who may also order by which of the parties any costs of the proceedings before them shall be paid, and the decision of such court shall be final and binding on all parties.

Amendment of 10 & 11 Vict. c. 17. s. 44.

27. Section forty-four of the Waterworks Clauses Act, 1847, shall, for the purposes of this Order, have effect as if the words, "with the consent in writing "of the owner or reputed owner of any such house, or of the agent of such "owner," were omitted therefrom: Provided that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Where several houses supplied by one pipe each to pay.

28. Where several houses or parts of houses in the occupation of several persons are supplied by one common pipe, the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been separately supplied with water from the works of the Undertakers by a distinct pipe: Provided that the Undertakers shall not be compelled to supply water to the occupier of any part of a dwelling house unless the water rate is paid for the whole of such dwelling house.

Supply of water to tenements in a row.

29. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Undertakers to any other such tenement, unless such tenant or

occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

*Penalties.*

Injuring meters, &c.

30. Every person who wilfully, fraudulently or by culpable negligence, injures or suffers to be injured any pipe, meter or other instrument for measuring water, or any fittings belonging to the Undertakers, or who fraudulently alters the index to any meter or other instrument for measuring water, or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied, or fraudulently abstracts, consumes or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers, or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may, in addition thereto, recover the amount of any damage by them sustained, and in any case in which any person has wilfully, fraudulently, or by culpable negligence, injured or suffered to be injured any pipe, meter, instrument or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter or other instrument for measuring water, or prevented the same from duly registering the quantity of water supplied, or has fraudulently abstracted, consumed, or used water of the Undertakers, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing), and the existence of artificial means for causing such injury, alteration, or prevention, or for abstracting, consuming, or using water of the Undertakers, when such pipe, meter, instrument, or fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, prevention, abstraction, consumption, or use, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such pipe, meter, instrument, or fittings.

Misuser where supply to several houses is by a pipe common to all.

31. Any tenant or occupier of one or part of one of several houses or tenements supplied by a common pipe who takes or uses the water laid on by the Undertakers to any other such house or tenement, or allows the same to be taken or used contrary to the provisions of this Order, shall for every such offence be liable to a penalty not exceeding five pounds.

*Miscellaneous.*

Incoming tenant not liable to pay arrears.

32. In case any person supplied with water by the Undertakers leave the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Several sums in one summons.

33. Any summons or warrant issued for any of the purposes of this Order may contain in the body thereof, or in the schedule thereto, several sums.

*Rochford, Rayleigh, and Leigh Water.*

Warrant of distress to include costs.

34. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money; and such costs shall be ascertained by such justice, and shall be included in the warrant of distress for the recovery of such money.

Liability to water rate not to disqualify justices from acting.

35. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

8 Vict. c. 16, s. 140, incorporated.

36. Section one hundred and forty of the Companies Clauses Consolidation Act, 1845, shall be and is hereby incorporated with this Order: Provided that for the purpose of such incorporation the expression "the company" in the said section shall be construed to mean the Undertakers.

Separate accounts in respect of water undertaking.

37. The Undertakers shall keep separate annual accounts with respect to their water undertaking, showing the amount of their paid-up capital in such undertaking, and such accounts shall in all respects be in accordance with the provisions of the Waterworks Clauses Act, 1847.

Costs of Order.

38. All the costs, charges, and expenses of, and incidental to the applying for, preparing, obtaining and confirming this Order, and otherwise in relation thereto, shall be paid by the Undertakers.

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*Swaffham Water.*

## SWAFFHAM WATER.

*Order empowering the Swaffham Waterworks Company, Limited, to maintain and continue Waterworks and to supply Water in the Parish of Swaffham in the County of Norfolk.*

Short title.

1. This Order may be cited as the Swaffham Water Order, 1891.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed, which date is in this Order referred to as "the commencement of this Order."

Incorporation of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Waterworks Clauses Acts, 1847 and 1863, are, except where the same are expressly varied by this Order, hereby incorporated with and form part of this Order, and the said provisions of the said Waterworks Clauses Acts shall apply as well to the mains, pipes and works of the Undertakers laid down or constructed before the commencement of this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

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4. The several words, terms and expressions to which, by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act, 1870, meanings are assigned, have in this Order the same respective meanings: Provided that the expression "superior court" or "court of competent jurisdiction" in any Act in whole or in part incorporated with this Order shall be read and have effect as if the debt or demand in respect of which the expression is used were an ordinary simple contract debt, and not a debt or a demand created by statute. Interpretation.

5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be so much of the town and parish of Swaffham in the county of Norfolk as are within the limits of supply shown on the map deposited at the office of the Board of Trade and at the office of the clerk of the peace for the county of Norfolk and at the office of the urban sanitary authority for the district of Swaffham and marked "Swaffham Water Order, 1891." Limits of Order.

*Undertakers.*

6. The Swaffham Waterworks Company (Limited) shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers." Undertakers.

*Capital.*

7. The share capital of the Undertakers for the purposes of the water undertaking shall not exceed four thousand pounds, consisting of the share capital already raised or authorised to be raised by the Undertakers amounting to three thousand pounds (in this Order referred to as the "original capital,") and of additional share capital (in this Order referred to as the "additional capital,") to be issued subject to the provisions of this Order, not exceeding one thousand pounds, including any premiums that may be obtained on the sale of any shares under the provisions of this Order, unless the Undertakers are hereafter authorised to raise for such purposes further additional share capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament. Capital.

8. The Undertakers shall, when any shares forming part of the additional capital are to be issued, and before offering the same to the holder of any other share or stock of the Undertakers, offer the same for sale by public auction or tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time by special resolution determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares, and that the reserve price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserve price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened after such day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers. New shares to be offered by auction or tender.

*Swaffham Water.*

When proprietor tenders same amount as any other person proprietor to be declared the purchaser.

9. When the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any such lot of shares so offered for sale by auction or tender, under the provisions of this Order, is equal to the highest amount bidden or tendered for the same lot by any person not being a proprietor, then, and in every such case, such proprietor shall be declared to be the purchaser of and to be entitled to such lot.

Purchase money of shares sold by auction to be paid within three months.

10. It shall be one of the conditions of any sale of shares under the provisions of this Order that the whole nominal amount of each share, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

As to notice to be given as to sale of shares.

11. The intention to sell any shares by auction or tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of every local authority having jurisdiction within the limits of supply, and to the secretary of the Committee of the London Stock Exchange, at least twenty-eight days before the day of auction, or the last day for the reception of tenders, as the case may be ; and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Shares not sold by auction or tender to be offered to shareholders.

12. When any shares have been offered for sale by auction or tender under the provisions of this Order and not sold, the same shall be offered at the reserve price put upon the same respectively for the purpose of sale by auction or tender to the holders of the ordinary shares or ordinary stock of the Undertakers in such manner as may be prescribed by a special resolution passed by the Undertakers : Provided that any share so offered, and not accepted within the time prescribed by such resolution, shall again be offered for sale by public auction or tender, in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital.

Application of premium arising on issue of shares.

13. Any sum of money which may arise from the issue of any shares under the provisions of this Order by way of premium, after deducting therefrom the expenses of and incident to such issue, shall not be considered as profits of the Undertakers, but shall be expended in extending or improving the works of the Undertakers, or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limits of dividend on capital.

14. The Undertakers shall not in any year declare or make out of their profits any larger dividends on the original and additional capital than ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as preference capital.

Dividends on different classes of shares to be paid proportionately.

15. In case, in any year or in any half year, if the Undertakers declare a dividend half-yearly, the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary shares in the original and additional capital of the

Undertakers, a proportionate reduction shall be made in the dividends payable on each class.

Borrowing powers.

16. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the water undertaking, shall not at any time exceed in the whole one-fourth of the amount of the capital of the Undertakers actually raised by the issue of shares or stock, including any premiums that may be obtained on the sale of any shares under the provisions of this Order, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers, without the consent of the Board of Trade, in respect of any moneys borrowed by the Undertakers, after the commencement of this Order, and secured as aforesaid.

*Lands*

Power to acquire land.

17. The Undertakers may by agreement from time to time purchase, take on lease, acquire, and use any lands and any easements, rights, or privileges in, over, or affecting any lands which they may require for the purposes of the water undertaking: Provided that they shall not create or permit a nuisance on any lands held by them, and that they shall not at any time hold for such purposes more than three acres of land in addition to the lands held by them at the commencement of this Order.

Persons under disability may grant easements, &c. to Undertakers.

18. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege (not being an easement of water) in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants or to such easements, rights, or privileges as aforesaid.

*Maintenance of Waterworks.*

Powers to maintain works.

19. The Undertakers on the lands upon which the same are situate, so long as they are possessed of the said lands, may maintain and continue, and from time to time alter, enlarge, renew and improve their existing waterworks, hereinafter described, and the works connected therewith, with all needful goits, conduits or pipes, channels, dams, weirs, sluices, pens, locks, engines, engine-houses, machinery, stand-pipes, tanks, valves, air-valves, hydrants, apparatus, walls, fences, and other works connected therewith, and they may, subject to the provisions of this Order, supply and sell water within the limits of supply.

The works hereinbefore referred to are situate wholly in the parish of Swaffham, in the county of Norfolk, and are as follows:—

(1) A well, pumping station, water tower and workman's cottage in the water tower, all situate on land belonging or reputed to belong to and occupied by the Undertakers, and coloured red on the map deposited as before mentioned;

(2) A tank situate above the water tower near to and adjoining the said well and pumping station on the above-mentioned site;

(3) A conduit or line of pipes, commencing in the tank lastly before described, passing thence up Lynn Street and part of Lynn Road, and terminating in

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Lynn Road at or near the boundary of the limits of supply. Also a line of pipes commencing in the said tank, passing down Lynn Street, thence passing along one side of Market Place and down London Street, and terminating near a house known as the Pigeon House. Also a branch line of pipes passing down the lane (opposite the town pit in Market Place) and known as White Hart Lane, and terminating near the malting-houses. Also a line of pipes commencing at a point near the King's Arms Inn, passing thence round the other two sides of the Market Place, thence along Castleacre Street and Station Street, and terminating near the Baptist Chapel. Also a branch line of pipes passing from the last-mentioned line of pipes down Northwell Pool Lane, and terminating at a point near the Almhouses. Also a branch line of pipes passing from the line of pipes in Market Place, down Mangate Street, and terminating at a point near the church steps. Also a branch line of pipes commencing against the post office, running thence through Ash Close, and terminating at a point near the timber yard in Spinner's Lane.

For the protection of the Great Eastern Railway Company.

20. All works to be constructed by the Undertakers in the exercise of any powers conferred by this Order in any way affecting the railway of the Great Eastern Railway Company (in this section referred to as "the Company"), or any of the bridges or works thereof, or any lands or property belonging to the Company, shall be constructed under the superintendence and to the reasonable satisfaction of the principal engineer for the time being of the Company, and according to plans to be reasonably approved by him, but in all things at the expense of the Undertakers, and so as to cause no injury to such railway, bridges, works, lands, or property, or interruption to the passage or conduct of traffic over such railway, and if in consequence of the construction of such works any injury be caused to such railway, bridges, works, lands, or property, or any interruption be caused to such traffic, the Undertakers shall make full compensation to the Company in respect of such injury or interruption, the amount of such compensation failing agreement to be settled by arbitration in the manner provided for settling cases of disputed compensation by the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.

As to pipes, &c. crossing the works of a railway or other company.

21. If any difference arise between the Undertakers and any railway, canal, or other company, whose lands or works the Undertakers have power to cross under the authority of this Order, for the purpose of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their conduits, mains, pipes, or works in, over, or upon such lands or works, or the facilities to be afforded for the same, such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

*Supply.*

Limits of pressure.

22. The water supplied by the Undertakers need not at any time be delivered at a greater height than can be reached by gravitation from the waterworks authorised to be maintained by this Order.

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23. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes, furnish to such owner or occupier a sufficient supply of water for such domestic purposes at rates not exceeding the rates per annum hereinafter specified (that is to say):— Rates for supply for domestic purposes.

Where the rateable value of the premises so supplied with water does not exceed five pounds, the sum of eight shillings and eightpence;

Where such rateable value exceeds five pounds and does not exceed twenty pounds, the rate of eight pounds per centum upon such rateable value;

Where such rateable value exceeds twenty pounds and does not exceed forty pounds, the rate of seven pounds ten shillings per centum upon such rateable value;

Where such rateable value exceeds forty pounds and does not exceed sixty pounds, the rate of seven pounds per centum upon such rateable value;

Where such rateable value exceeds sixty pounds and does not exceed eight pounds, the rate of six pounds ten shillings per centum upon such rateable value;

Where such rateable value exceeds eighty pounds, the rate of six pounds per centum upon such rateable value.

And so in proportion for any shorter period in each case. Provided that the Undertakers shall not be compellable to furnish any such supply for any less sum than eight shillings and eightpence in any one year, and that the Undertakers shall not be entitled in any case to demand for the water rate for any house or part of a house included in any division of the above scale a greater sum of money than they would be entitled to demand if such house or part of a house were of just such higher rateable value as would bring it within another division of the said scale.

The rateable value of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter for which the rate accrues.

Provided that where the water rate is chargeable on the rateable value of a part only of any hereditament entered in the valuation list such rateable value shall be a fairly apportioned part of the rateable value of the whole tenement ascertained as aforesaid, the apportionment in case of dispute to be determined by two justices.

Rates for water-closets, &c.

24. In addition to the foregoing charges the Undertakers may charge in respect of every water-closet beyond the first (for which no additional charge shall be made) on any premises within the limits of supply a sum not exceeding five shillings per annum, and for every fixed bath capable of containing not more than fifty gallons a sum not exceeding ten shillings per annum, and for every fixed bath capable of containing more than fifty gallons such sum as the Undertakers may think fit, such additional sums to be paid quarterly in advance, and to be recoverable in all respects with and as the water rate.

Regulations for preventing waste of water.

25. For preventing waste, misuse, undue consumption or contamination of the water of the Undertakers the following provisions shall be in force and have effect, but only within the district in which the Undertakers are bound to afford,

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and do in fact afford, or are prepared on demand to afford, a constant supply. The said provisions are as follows:—

(1) The Undertakers may from time to time make regulations for the purpose of preventing the waste, undue consumption or misuse or contamination of water, and may by such regulations prescribe the size, make, nature, materials, workmanship and strength, and the mode of arrangement, connection, disconnection, alteration and repair of the pipes, meters, cocks, ferrules, valves, soil-pans, water-closets, baths, tanks, cisterns and other apparatus, fittings, means, contrivances, receptacles or appliances whatsoever to be used, and forbid any arrangements and the use of the several things before mentioned or any or either of them which may allow or tend to waste or undue consumption, misuse, erroneous measurement or contamination.

(2) No such regulations shall be of any force or effect unless and until the same shall have been submitted to and confirmed by the Local Government Board, who are hereby empowered to confirm the same.

(3) No such regulations shall be confirmed until after the expiration of one month after notice in writing to submit the same for confirmation, together with a copy of the proposed regulations, shall have been given by or on behalf of the Undertakers to the local authorities within the limits of supply, who may within the said period of one month make such representations to the Local Government Board as they see fit.

(4) A copy of all such regulations in force for the time being shall be kept at the office of the Undertakers, and all persons may at all reasonable times inspect such copy without payment, and the Undertakers shall cause to be delivered a printed copy of all regulations for the time being in force to every person applying for the same on payment of a sum not exceeding two pence for each copy.

(5.) A printed copy of any such regulations, dated and purporting to have been made as aforesaid, and to be sealed with the seal of the Undertakers, and to have been confirmed by the Local Government Board, shall be evidence until the contrary be proved in all legal proceedings of the due making, confirmation, publication, and existence of such regulations without further or other proof.

(6) In case of failure of any person to observe such regulations as are for the time being in force the Undertakers may, if they think fit, after twenty-four hours' notice in writing, enter and by and under the direction of their duly authorised officer repair, replace or alter any pipe, meter, valve, cock, ferrule, tank, cistern, bath, soil-pan, water-closet or other apparatus, means, contrivance or receptacle, fittings, or appliances belonging to or used by such person, and not being in accordance with the requirements of such regulations, and the expense of every such repair, replacement or alteration shall be repaid to the Undertakers by the person on whose credit the water is supplied, and may be recovered by them as water rates are recoverable.

(7) Any person who shall offend against any such regulations shall (without prejudice to any other right or remedy for the protection of the Undertakers or punishment of the offender) be liable to a penalty not exceeding five pounds for each offence, and to a further daily penalty not exceeding forty shillings for each day or a part of a day whereon such offence shall occur

after conviction thereof, and the Undertakers may in addition thereto recover the amount of any damages sustained by them.

Water supplied by agreement.

26. The Undertakers may from time to time, by agreement, supply any urban or rural sanitary authority or any company authorised to supply water without the limits of supply, with water in bulk, for such remuneration and upon such terms and conditions as may from time to time be agreed upon between the Undertakers and such authority or company; but notwithstanding any such agreement no such authority or company shall be entitled to a supply of water under any such agreement whenever and as long as the Undertakers are of opinion that the same would interfere with the proper supply of water for domestic purposes under the provisions of this Order, and every such agreement shall be, by virtue of this Order, determinable by the Undertakers on one month's notice in writing. Provided that nothing herein contained shall be construed as conferring any power on the Undertakers in relation to the laying down or placing of any pipe or conduit, or the breaking up of any road or street, or the execution of any work beyond the limits of supply, or as empowering the Undertakers to supply water in any district beyond the limits of supply within the meaning of section fifty-two of the Public Health Act, 1875, or any similar provision.

Supply of water by measure.

27. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure, within the limits of supply, to any person, and may charge a rent for each meter or other instrument for measuring water provided by them, at a rate per annum not exceeding fifteen per centum of the cost of such meter or instrument; such rent to be paid quarterly, in advance, and to be recoverable in all respects with and as the water rate. Provided that, notwithstanding anything in this section contained, the Undertakers shall not be entitled to charge for water supplied by them by measure at a higher rate than one shilling and sixpence per one thousand gallons.

Undertakers to keep meters, &c. in repair.

28. The Undertakers shall at all times, at their own expense, keep all meters or other instruments for measuring water, let by them for hire to any person, in proper order, for correctly registering the supply of water, and in default of their so doing, such person shall not be liable to pay rent for the same during such time as such default continues. The Undertakers shall, for the purposes aforesaid, have access to, and be at liberty to remove, test, inspect and replace any such meter or other instrument at all reasonable times.

Register of meters, &c. to be evidence.

29. Where water is supplied by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed, and in respect of which any water rate is charged and sought to be recovered by the Undertakers. Provided that if the Undertakers and the person to whom the water is supplied differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by a court of summary jurisdiction, who may also order by which of the parties any costs of the proceedings before them shall be paid, and the decision of such court shall be final and binding on all parties.

Amendment of 10 & 11 Vict. c. 17. s. 44.

30. Section forty-four of the Waterworks Clauses Act, 1847, shall for the purposes of this Order have effect as if the words "with the consent in writing

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of the owner or reputed owner of any such house or of the agent of such owner" were omitted therefrom. Provided that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Where several houses supplied by one pipe each to pay.

31. Where several houses or parts of houses in the occupation of several persons are supplied by one common pipe, the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been separately supplied with water from the works of the Undertakers by a distinct pipe. Provided that the Undertakers shall not be compelled to supply water to the occupier of any part of a dwelling-house unless the water rate is paid for the whole of such dwelling-house.

Supply of water to tenements in a row.

32. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Undertakers to any other such tenement unless such tenant or occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

*Penalties.*

Injuring meters, &c.

33. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any pipe, meter, or other instrument for measuring water, or any fittings belonging to the Undertakers, or who fraudulently alters the index to any meter or other instrument for measuring water, or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may, in addition thereto, recover the amount of any damage by them sustained; and in any case in which any person has wilfully, fraudulently, or by culpable negligence injured, or suffered to be injured, any pipe, meter, instrument or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter or other instrument for measuring water, or preventing the same from duly registering the quantity of water supplied, or has fraudulently abstracted, consumed, or used water of the Undertakers, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing), and the existence of artificial means for causing such injury, alteration, or prevention, or for abstracting, consuming or using water of the Undertakers when such pipe, meter, instrument or fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, prevention, abstraction, consumption, or use, as the case may be, has been fraudulently, knowingly and wilfully caused by the consumer using such pipe, meter, instrument, or fittings.

Misuser where supply to several houses is by a pipe common to all.

34. Any tenant or occupier of one or part of one of several houses or tenements supplied by a common pipe, who takes or uses the water laid on by the Undertakers to any other such house or tenement, or allows the same to be taken or

used contrary to the provisions of this Order, shall for every such offence be liable to a penalty not exceeding five pounds.

*Miscellaneous.*

Incoming tenant not liable to pay arrears.

35. In case any person supplied with water by the Undertakers leave the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Several sums in one summons.

36. Any summons or warrant issued for any of the purposes of this Order may contain in the body thereof or in the schedule thereto several sums.

Warrant of distress to include costs.

37. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by such justice, and shall be included in the warrant of distress for the recovery of such money.

Liability to water rate not to disqualify justices from acting.

38. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

8 Vict. c. 16. s. 140, incorporated.

39. Section one hundred and forty of the Companies Clauses Consolidation Act, 1845, shall be and is hereby incorporated with this Order. Provided that for the purposes of such incorporation the expression "the Company" in the said section shall be construed to mean the Undertakers.

Costs of Order.

40. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the Undertakers.

# Water Provisional Orders Confirmation.

[H.L.]

A

# B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Corsham Water, North Sussex Water, Rochford Rayleigh and Leigh Water, and Swaffham Water.

(*Brought from the Lords* 16 *June* 1891.)

*Ordered, by* The House of Commons, *to be Printed*, 16 *June* 1891.

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[*Price* 3*d.*]

[Bill 368.]

# Western Highlands and Islands (Scotland) Works Bill.

## MEMORANDUM.

This Bill is introduced to enable the carrying into administrative effect of certain votes of money given by Parliament towards the construction of some works of public utility in the Western Highlands and Islands of Scotland.

Clause 1 provides for the expenditure under adequate supervision of the sum of 15,000*l.* on certain roads in the Island of Lewis, and for their subsequent maintenance by the County Council.

Clause 2 provides for the expenditure of the money voted by Parliament in aid of the construction and improvement of harbours, piers, and boat slips within the counties subject to the provisions of the Crofters Act. In order to save the expense of applying in each case of a small harbour, pier, or boat slip for a Provisional Order (requiring to be confirmed by Parliament) to enable rates to be levied from those using the authorised works, it is provided that the Board of Trade in those cases, if they approve of the works shall at the same time fix the table of rates leviable by the County Council, who are deemed to be the undertakers of the works and upon whom the Bill proposes to confer the powers usually vested in such undertakers by the Provisional Orders of the Board of Trade.

The sub-sections of clause 2 accordingly include the accustomed provisions of Bills confirming Provisional Orders adapted to the case of such works as are dealt with in the Bill.

A

# B I L L

TO

Make provisions in regard to the Construction and Maintenance of certain Works of public and local utility in the Western Highlands and Islands of Scotland. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision as to road between Carloway and Stornoway, &c.

**1.**—(1.) Out of moneys voted by Parliament a sum not exceeding *fifteen thousand pounds* shall be paid by the Secretary for Scotland to the county council of the county of Ross and Cromarty to defray the cost of constructing and improving the road between Carloway and Stornoway and certain other roads approved by the Secretary for Scotland in the Island of Lewis and county of Ross and Cromarty.

(2.) Payments out of the said sum shall be made from time to time on the certificate of an engineer appointed by the Secretary for Scotland, certifying that expenditure to the amount of any such payment has been made towards the construction and improvement of the said roads on plans and specifications approved by and in a manner satisfactory to the said engineer.

(3.) After the said sum has been expended as herein-before provided the said roads shall in all time coming be deemed to be and be maintained by the said county council as highways within the meaning and subject to the provisions of the Roads and Bridges (Scotland) Act, 1878.

Provision as to piers, boat slips, &c.

**2.**—(1.) Out of moneys voted by Parliament sums may from time to time be distributed by the Secretary for Scotland among the county councils of the counties of Argyll, Inverness, Ross and Cromarty, Sutherland, Caithness, Orkney, and Zetland for the purpose of aiding in the construction and improvement of small harbours, piers, and boat slips within those counties respectively on the conditions, and subject to the provisions herein-after contained.

A.D. 1891.

(2.) An application for a grant under this section may be made to the Secretary for Scotland by any of the county councils aforesaid, if so authorised at a meeting of the council called with special notice that it will be proposed to make such an application, and of the site of the small harbour, pier, or boat slip to which it relates, and of the estimated cost of constructing or improving and maintaining the works thereof.

(3.) Before the county council resolve to proceed with the application, they shall ascertain (*a*) the amount of local subscriptions (if any) towards the execution of the works for which sufficient legal obligations have been obtained; and (*b*) whether a free gift will be made of the site by the proprietor thereof. And it shall be lawful for any proprietor holding under a deed of entail or other limited title to make such free gift.

(4.) If the Secretary for Scotland, after such inquiry as he shall think necessary, resolves to entertain the application, he shall require the county council to procure from the persons locally interested and at the expense of such persons (*a*) plans and sections, with relative specifications, of the proposed works, and (*b*) an estimate of the cost, and shall cause the plans and sections, with relative specifications, and estimate of cost to be submitted to the Board of Trade, and unless the Board of Trade, with or without modifications, approve thereof, no grant shall be made. The Board of Trade, if they approve of any works as aforesaid, shall set forth in schedules annexed to their determination—

(*a*) a description of the works which they recommend should be authorised;

(*b*) a table of rates not exceeding the rates specified in the schedule annexed to the Burgh Harbours (Scotland) Act, 1853, which they recommend should be leviable in respect of the use of the works and conveniences connected therewith; and

(*c*) a definition subject to the provisions of this section of this Act of the area within which the said rates may be levied.

Provided that before issuing any such determination the Board of Trade may require such public notice, as they shall deem necessary, to be given by the county council of the works proposed to be authorised and of the rates proposed to be leviable thereat, and may hear any objections thereto within such time as they shall fix.

(5.) If with or without modifications the Board of Trade approve of the plans and sections, the Secretary for Scotland may intimate to the county council that a grant will be made of such amount

and on such conditions as shall have been approved by the Treasury.

(6.) After receiving intimation of the amount of a grant as herein-before provided, the county council shall again meet with special notice of the business to be transacted, and shall determine finally whether they are to proceed with the execution of the proposed works; and if they so determine, they shall forthwith transmit to the Secretary for Scotland an extract from their minutes setting forth such determination, and such extract shall be signed by the county clerk, and sealed with the common seal of the county council. Thereupon the county council shall be deemed to be within the meaning, and subject to the provisions of the Harbours, Docks, and Piers Clauses Act, 1847, (which Act is herewith incorporated except in so far as hereinafter provided), the undertakers for the works described in the schedule to the determination of the Board of Trade, and which shall thereafter be deemed to be the authorised works, and this section of this Act shall be deemed to be the "special Act."

(7.) The provisions of the Lands Clauses Acts in regard to the taking of land by agreement are hereby incorporated with this Act, and if the proprietor of the site of the authorised works shall not make a free grant thereof as herein-before provided, a valid title to such site shall be obtained, and in every case the title to the site shall be recorded in the appropriate division of the General Register of Sasines for Scotland before the commencement of the authorised works.

(8.) The limits within which the county council as undertakers shall have authority, and which shall be deemed the limits to which the power to levy rates extends, shall comprise the authorised works with the roads, accesses, and conveniences connected therewith, and the whole area below the line of high water mark of ordinary spring tides within such a distance from any part of the authorised works as may be prescribed by the Board of Trade, which limits (and all additions to and improvements on the said works from time to time made by the county council as undertakers aforesaid) are to be deemed the limits of this section of this Act.

(9.) Subject to the provisions of this section of this Act, and subject also to such alterations, if any, in the deposited plans and sections as the Board of Trade may require from time to time before the completion of the works in order to prevent injury to navigation, the county council as undertakers aforesaid, may, in the lines and

A.D. 1891.

situation, and according to the levels shown on the deposited plans and sections, so far as the same are shown thereon, and within the limits of deviation shown on the plans, make and maintain the authorised works and accesses thereto. They may also, with the approval in writing of the Board of Trade, deviate vertically from the levels of the said works as shown on the deposited sections to any extent not exceeding ten feet.

(10.) The county council, as undertakers aforesaid may dredge, scour, deepen, widen, enlarge, improve and maintain the entrances and channels of the said works; provided that works below high water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing.

(11.) Every person who wilfully obstructs any person acting under the authority of the county council as undertakers aforesaid in setting out the lines of the works authorised as aforesaid, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof shall for every such offence be liable to a penalty not exceeding *five pounds* recoverable summarily before the sheriff.

(12.) The county council as undertakers aforesaid may also construct and maintain or take on lease all warehouses, offices, sheds, weighing-machines, cranes, and other public buildings and conveniences which may be found necessary in connexion with the authorised works for the accommodation of vessels thereat, and of traffic landed at or embarked at the same, and may demand and receive such rates or other consideration as they think reasonable for the use thereof, in so far as such rates or other consideration are not specially fixed in the schedule annexed to the determination of the Board of Trade.

(13.) When a certificate has been obtained from the Board of Trade (who shall have power to vary as they shall think fit with reference to the authorised works the provisions of section twenty-five of the Harbours, Docks, and Piers Clauses Act, 1847,) that all consents and approvals on the part of the Board of Trade necessary to the due construction of the works authorised as aforesaid have been given, the county council as undertakers foresaid may, subject and according to the provisions of this section of this Act, for the use of the said works demand and receive in respect of vessels or boats, passengers, animals, goods, matters, and things described in the schedule annexed to the determination of the Board of Trade

any sum not exceeding the several rates specified in that schedule.

(14.) If at any time and from time to time the clear annual income derived from the authorised works, on the average of the then three last preceding years, ending the *fifteenth day of May*, after payment of all expenses and outgoings, shall exceed interest at the rate of *ten* per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the county council as undertakers aforesaid in executing the authorised works, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this section of this Act to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the schedule annexed to the determination of the Board of Trade as aforesaid.

(15.) The county council as undertakers aforesaid, within one month after sending to the sheriff clerk the copy of their annual accounts in abstract shall send a copy of the same to the Board of Trade. If the county council as undertakers aforesaid refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding *twenty pounds;* and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act, shall apply to and include any and every such account.

(16.) Fishing vessels belonging to countries with which for the time being treaties exist, exempting from dues and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the authorised works, and not breaking bulk while making use thereof, be exempt from rates leviable under this section of this Act.

(17.) Any person authorised by the Secretary for Scotland, and all officers of Customs, of the coastguard, of the Board of Trade, and of the Fishery Board for Scotland, being in the execution of their duty, and also all persons going to or returning from any lifeboat, or using or exercising any lifeboat or apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress to and passage and egress on, along, through, and out of the authorised works by land, and with their vessels and otherwise, without payment.

A.D. 1891.

(18.) The county council as undertakers aforesaid, may from time to time lease the rates authorised by this section of this Act for any period not exceeding *ten years*, on such terms and conditions as they think fit; and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and receiving rates as the county council as undertakers aforesaid have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this section of this Act, and shall be subject to all the same provisions as to accounts and otherwise to which the county council as undertakers aforesaid are made subject by this section of this Act.

(19.) The county council as undertakers aforesaid may make byelaws for the regulation and control of vessels and boats within the limits of this section of this Act, and for the regulation and control of the fishermen and others, and goods and traffic on the authorised works and approaches thereto, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

(20.) The rates received under this section of this Act shall be applicable for the purposes and in the order following, and not otherwise:

(*a.*) In paying the costs of and in connexion with the bringing into operation of the provisions of this section of this Act;

(*b.*) In paying the expenses of the maintenance, repair, improvement, management and regulation of the works authorised under this section of this Act;

(*c.*) The surplus revenue (if any) of the authorised works, after providing for the purposes aforesaid, shall be paid to the credit of the general purposes rate of the county council.

(21.) Sections six to nineteen inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this section of this Act.

(22.) No vessel or boat, except steamboats or pleasure boats embarking or disembarking passengers and their luggage, shall be moored alongside the authorised works without the consent of the county council as undertakers aforesaid or of their officers.

(23.) The county council, as undertakers aforesaid, shall have power to appoint and pay pier masters, collectors of rates and dues, meters and weighers, and other necessary officers within the limits of this section of this Act.

A.D. 1891.

(24.) Before commencing the authorised works the county council, as undertakers aforesaid, shall apply to the Board of Trade for directions as to the lights to be exhibited during the construction of the works, and shall exhibit thereon such light or lights as shall from time to time be directed by the Board of Trade, and after the completion or permanent discontinuance or abandonment of the authorised works, or in case of injury to or destruction or decay of the works or any part thereof, the county council, as undertakers aforesaid, shall exhibit thereon such light or lights, and shall lay down such buoys and take such other means for preventing, as far as may be, danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to such lights, buoys, and other means; and if the county council, as undertakers aforesaid, shall omit so to apply to the Board of Trade or Commissioners of Northern Lighthouses, as the case may be, or shall refuse or neglect to obey any direction as aforesaid, they shall for each offence be liable to a penalty not exceeding *ten pounds*, which may be recovered summarily before the sheriff, for every calendar month during which they omit so to apply or refuse or neglect to obey any direction as aforesaid.

(25.) If in any year ending the *fifteenth day of May* the rates received by the county council, as undertakers aforesaid, shall be insufficient to defray the expenses of the maintenance, repair, management, and regulation of the authorised works, it shall be lawful for and incumbent on the county council, in order to meet such deficiency, to impose and levy, as part of the general purposes rate under the Local Government (Scotland) Act, 1889, an assessment not exceeding *one penny* in the pound upon all lands and heritages within the county, and the amount leviable by the full rate of *one penny* in the pound, shall be the limit of the power and duty of the county council to meet any deficiency occurring as aforesaid.

(26.) If from any cause the local subscriptions herein-before mentioned (if any) received by the county council, together with the grant out of moneys voted by Parliament as herein-before provided, shall be insufficient to defray the cost of constructing the authorised works, the county council shall be bound to pay and provide for such deficiency and for that purpose may borrow on the security of the general purposes rate aforesaid, which shall be chargeable with the principal and interest of the loan, the amount of such deficiency, in the manner and subject to the provisions of section sixty-seven of the Local Government (Scotland) Act, 1889.

A.D. 1891.

(27.) This section of this Act shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works hereunder be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the consent of the Board of Trade having been first obtained.

Inspection of authorised works.

**3.** Any person appointed by the Secretary for Scotland shall from time to time either during or after the construction of the authorised works be entitled to inspect the same in order to his reporting thereon to the Secretary for Scotland.

Short title.

**4.** This Act may be cited for all purposes as the Western Highlands and Islands (Scotland) Works Act, 1891.

Application of Act.

**5.** This Act shall not apply in any case where the estimated cost of the proposed works exceeds the sum of *two thousand pounds*, unless the Secretary for Scotland, in communication with the Board of Trade, shall determine that on account of the exceptional circumstances of the case the provisions of the Act shall be applicable.

# Western Highlands and Islands (Scotland) Works.

A

# B I L L

To make provisions in regard to the Construction and Maintenance of certain Works of public and local utility in the Western Highlands and Islands of Scotland.

*(Prepared and brought in by The Lord Advocate, Mr. Chancellor of the Exchequer, and Mr. Solicitor-General for Scotland.)*

*Ordered*, by the House of Commons, *to be Printed*, 29 *June* 1891.

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[*Price* 1½*d.*]

[Bill 396.]

A

# B I L L

TO

Amend the Wild Birds Protection Act, 1880. A.D. 1891.

WHEREAS it is expedient to provide for the better protection of wild birds of the United Kingdom:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and construction.

**1.** This Act may for all purposes be cited as the Wild Birds Protection Act, 1891, and shall be construed as one with the Wild Birds Protection Act, 1880 (herein-after referred to as "the principal Act"), except as herein-after provided.

Extension of close time.

**2.** The third section of the principal Act shall be amended as follows:—

The *twelfth day of August* shall be substituted therein for the first day of August.

Power to local authorities to protect eggs.

**3.**—(1.) Any county council as to any county in Great Britain and the justices in quarter sessions as to any county in Ireland (which bodies are herein-after respectively referred to as the "authority") may after the *passing of this Act* prohibit the taking or destroying of the eggs of all or any wild birds for a specified time in any place or places within the county, and any person who shall take or destroy, or incite any other person to take or destroy, any egg of any wild bird included in such order during the time and in any place specified therein shall, on conviction before any two justices of the peace in England and Wales or Ireland, or before the sheriff in Scotland, forfeit and pay for every egg so taken or destroyed a sum not exceeding *five shillings*.

(2.) Any order made under this section shall be published by the authority not less than fourteen days before the commencement

A.D. 1891.

of the time specified therein by advertisement in one or more newspaper circulating within the county, and by such further public notice (if any) as the authority may determine.

(3.) A copy of any such order purporting to be certified by the clerk of the authority shall be evidence of the order having been made.

(4.) All expenses incurred by the authority in the making or publishing of the order shall be defrayed out of any fund or rate out of which the general expenses of such authority are payable by law.

Penalty for killing or selling certain wild birds.

**4.** Any person who at any time after the *passing of this Act* shall knowingly and wilfully kill or use any boat or poison for the purpose of killing or causing to be killed, or shall use any lime, trap, snare, net, or other instrument for the purpose of taking any wild bird named in the schedule to this Act, or shall expose or offer for sale any such wild bird, shall, on conviction before any two justices of the peace in England and Wales or Ireland, or before the sheriff in Scotland, forfeit and pay for every such bird in respect of which an offence has been committed a sum of money not exceeding *five pounds*.

Repeal.

**5.** The Wild Birds Protection Act, 1881, is hereby repealed.

Amendment of schedule.

**6.** The schedule to the principal Act shall be read and construed as if the word "lark" had been inserted therein.

## SCHEDULE.

A.D. 1891.

Avocet.
Bearded tit.
Bittern.
Buzzard.
Chough.
Crossbill.
Dartford warbler.
Dotterel.
Eagle.
Goldfinch.
Golden oriole.
Great bustard.
Great skua.
Harrier.
Kentish plover.
Hobby.
Hoopoe.
Kite.
Merlin.
Nightjar.
Oriole (golden).
Osprey.
Owl.
Phalarope.
Peregrine falcon.
Raven.
Reed pheasant.
Ruff or reeve.
St. Kilda wren.
Sand-grouse.
Stone-curlew.
Tern.
Woodpecker.

# Wild Birds Protection Act, 1880, Amendment.

A

# B I L L

To amend the Wild Birds Protection Act, 1880.

*(Prepared and brought in by Mr. Alfred Pease, Mr. Arthur Acland, Mr. Asquith, Colonel Dawnay, Sir Edward Grey, Marquess of Granby, and Mr. Sydney Buxton.)*

*Ordered, by* The House of Commons, *to be Printed*, 16 *February* 1891.

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[*Price* ½*d.*]

[Bill 213.]

A

# B I L L

TO

## Remove the Disabilities of Women.

A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

In Acts relating to voting words importing masculine gender to include women.

**1.** In all Acts of Parliament relating to the right to vote at parliamentary, municipal, local, and other elections, words importing the masculine gender shall include women.

Coverture not to incapacitate woman from voting.

**2.** No woman shall be subject to legal incapacity from voting at such elections by reason of coverture.

No person to be disqualified for office by reason of being a woman.

**3.** No person shall be disqualified from being elected or appointed to, or from filling or holding, any office or position, merely by reason that such person is a woman, or, being a woman, is under coverture.

Short title.

**4.** This Act may be cited as the Women's Disabilities Removal Act, 1891.

# Women's Disabilities Removal.

A

# B I L L

To remove the Disabilities of Women.

(*Prepared and brought in by Mr. Haldane, Sir Edward Grey, and Mr. Howorth.*)

*Ordered, by* The House of Commons, *to be Printed,* 29 *January* 1891.

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[*Price* ½*d.*]

[Bill 175.]